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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, JANUARY 6, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

H. Welton Flynn, Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Michael Kasolas
Rev. Dr. James McCray, Jr.
Cleopatra Vaughns

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

DOCUMENTS DEPT.

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
5. Communications
6. Introduction of New or Old Business by Board Members
7. Director's Report (For discussion only)

- Special Recognition Award
- FY04 and FY05 Budget
- Update on Plymouth and Monterey
- Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds as are or will be available in payment of the following claims against the MTA:

- A. Kenyetta Brewer, Superior Ct. CGC400199, filed on 1/8/03 for \$1,500
- B. State Farm, Superior Ct. #418626, filed on 3/24/03 for \$2,435.48
- C. Leonids Makrusins, Unlitigated Claim #0400609, filed on 8/27/03 for \$2,495.71
- D. Chik To Wong, Superior Ct. #407954, filed on 5/16/02 for \$3,047
- E. Rosa Ruderman, Superior Ct. #318470, filed on 2/27/01 for \$6,000
- F. Auxiliadora Pichardo, Superior Ct. #410280, filed on 7/18/02 for \$8,700
- G. John Clark, Superior Ct. #407796, filed on 5/9/02 for \$10,000
- H. Truck Insurance Exchange, Superior Ct. #CGC03420841 for \$10,000 filed on 5/28/03
- I. James Burrell, Superior Ct. #315752, filed on 10/10/00 for \$17,500
- J. Oswaldo Cruz, Superior Ct. 423513, filed on 3/5/03 for \$22,000
- K. 555 California St. Partners, Superior Ct. 96829 filed on 3/24/95 for \$66,334

(10.2) Approving the plans and specifications and authorizing bid call for Contract No. MR-1194, System-wide Rail Grinding Project. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.3) Approving Modification No. 6 to Contract No. MR-1146, Third Street Light Rail Project: Traction Power Systems Project, with Mitchell Engineer to substitute EG Construction for the listed subcontractor, Doliver Construction. (Explanatory documents include a staff report, resolution, modification and financial plan.) (MUNI)

(10.4) Authorizing the Director to execute the Seventh Amendment to Contract No. CS-116 with the Association of AGS, Inc. and Gannett Fleming, Inc. for Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility, to extend the Agreement by six months, for a total contract time of six years at no additional cost. (Explanatory documents include a staff report, resolution, agreement and financial plan.) (MUNI)

(10.5) Authorizing the Director to submit a supplemental appropriation request to the Board of Supervisors for \$1,485,683 to fund the relocation of layover activities and operator restrooms; reimburse project development, oversight maintenance and support costs; and beautify subway vent as required by the Arts Commission for the Mission Steuart hotel development. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.6) Authorizing the Director to execute and file an application for \$1,987,000 of TEA 21 Section 70 program funding with the U.S. Department of Transportation for Muni's Next Bus Real Time Vehicle Location Information project. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.7) Authorizing the Department of Public Works to reject all proposals for Contract No. 6179A: DPT Signal Shop Remodel Contract and authorizing DPT to advertise the availability of the new bid package and solicit proposals. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

(10.8) Authorizing the approval of Department of Parking and Traffic's sole source contract with Fourth Dimension Traffic for D4 software licenses for Type 2070 Signal Traffic Controllers for 65 signal traffic controllers at intersections along the Third Street Light Rail corridor at a cost of \$35,100, and up to 1,700 hours of training and consulting services for an amount not to exceed \$94,265, for a total contract amount not to exceed \$129,365. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute the "Special Transit Fare Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District," which extends the use of the Muni Fast Pass[®] on BART in San Francisco through December 31, 2004, and increases the reimbursement from Muni to BART to \$0.87 per ride. (Explanatory documents include a staff report, resolution and agreement.)

(This item was continued from the December 2nd meeting)

12. Urging the Board of Supervisors to approve the lease agreement and authorizing the Director to execute the lease with the Union Pacific Railroad for approximately 600 feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, for \$10 per year, and a one-time administrative fee of \$500 per lease, for a total cost of \$750, and requiring the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Explanatory documents include a staff report, resolution and agreement.)

13. Authorizing the Director to request proposals, and negotiate a contract with the highest ranked qualified advertising firm for Exclusive Rights to Install, Display and Maintain Advertising on Muni Revenue Vehicles and Metro Platform Display Sign System for a term not to exceed five years. (Explanatory documents include a staff report, resolution and RFP.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

2. Roll Call

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take

action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Joseph Ravicini, Superior Ct. #412938, filed on 10/23/03 for \$675,000

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

14. Announcement of Closed Session.

15. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

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ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

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CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Flynn called the meeting to order at 4:10 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Flynn announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. He advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the December 2, 2003 Regular Meeting: unanimously approved.

5. Communications

The board secretary announced that Item 10.5, the Mission-Steuart supplemental appropriation had been removed from the agenda at the request of staff.

6. Introduction of New or Old Business by Board Members

None.

7. Director's Report (For discussion only)

- Special Recognition Award
- FY04 and FY05 Budget
- Update on Plymouth and Monterey

-Ongoing Activities

Director Burns is pleased to present the January 2004 Special Recognition Award to Muni Operator, Glen Erven. Mr. Erven has been at Muni for over 24 years and has been on the F-Line since 2000. Mr. Burns received a letter from one of Mr. Erven's riders who called him "unfailingly cheerful and courteous". Mr. Erven is a role model for all employees. Mr. Erven appreciates the recognition and accepts it on behalf of the people who have been instrumental in his life. He added that you start as a bus driver and have to earn the title of transit operator. Chairman Flynn expressed appreciation on behalf of the board.

Service on New Year's Eve was quieter than in previous years with the weather contributing to the low turnout. The estimated crowd along the Embarcadero was 30,000 with approximately 25,000 others attending the football game. Muni was free from 8 p.m. until 6 a.m. as planned and DPT staff was out in force throughout the city. Thanks are due to all DPT and MUNI personnel who worked for their commitment to the public.

Director Burns and staff met with residents who live in the neighborhood of Plymouth and Monterey to discuss the traffic problems in the area. Staff has identified a number of actions that can be taken in and around the intersection, including lane changes, crosswalk upgrades and improved signage. The community is currently reviewing this plan. Implementation could begin by the end of the month. Staff will evaluate the intersection and will take before and after measurements to evaluate the impact of these changes on the neighborhood.

The construction contract for the Octavia Blvd. Project has been awarded to Ghilotti Brothers who will begin work this month. An area-wide study has been published that reviews alternate touchdown designs. DPT has 18 PCO's who work in the area to assist with detours and congestion.

Proposition I, the "Healthy Air Act" will be on the March Ballot that could affect Muni. It was put on the ballot by four supervisors and will require Muni to replace all of its' pre-1991 buses before 2007. This accelerates the California Air Resources Board's deadlines and would require Muni to replace approximately 150 vehicles, including 45 vehicles in the reserve fleet. The cost to replace these vehicles would be over \$100 million. Muni can identify about \$70 million in various funds to use if the measure passes. Muni has been aggressive with it's campaign to replace old buses with clean diesel buses. If the department had been allowed to purchase all the vehicles it had asked for, this measure would not have been necessary. Muni believes that the hybrid diesel-electric vehicles are the right choice for San Francisco and staff is working with CARB to get approval for these vehicles.

Construction is progressing on the Third St. Project. Staff is working with the community-based organizations to get their support for the Apprenticeship Program. The Transportation Authority is not releasing any funds until the Controller's audit is complete. This project has enough money to cover expenses through the spring.

Muni raised almost \$24,000 for the annual American Heart Association walk. James Waterfield at the Kirkland division was the top fundraiser for the entire campaign.

Director Kasolas asked that the board be notified when the Plymouth and Monterey trial begins and ends and that staff present a report upon completion detailing the results.

In response to a question by Director Kasolas, Director Burns stated that there needs to be a change in the CARB regulations to allow Muni to buy hybrid diesel buses. He added that even if they had their approval, Muni wouldn't make the Prop I deadline. If Prop. I passes, it will create a conflict. Muni wants to see the same thing accomplished. If the recommendation of the MTA had been followed a few years ago, these buses would have been off the street today.

Chairman Flynn is concerned about the Controller's audit of the Transportation Authority and the possibility that it might halt the Third Street Project. Director Burns concurred adding that Muni would have to shut it down if there is no money. Chairman Flynn asked to be kept updated on the status of the audit.

Director Burns introduced the FY04 and '05 budgets by saying that the city hasn't come out of the economic downturn and while the budget deficit is smaller than last year, it could be harder to solve. There will be no significant increases to fares, fines, or fees. Similar challenges are being faced around state with the increase in the cost of health care, workers compensation.

Gigi Harrington, Muni Deputy General Manager of Finance and Julia Dawson, DPT Deputy Director Finance presented FY04 and FY05 budgets. Muni's '04 budget is short by \$8.4 million. Staff will put the same processes and procedures in place as they did last year to stay within budget.

For FY05, the deficit is \$25.6 million. This figure could get worse and it assumes no changes to worker wages and retirement except for transit operators. It anticipates that the current 7.5% employee contribution will continue. For the first time since the early '90's, city departments will have to pick up the employer contribution to the retirement system.

Larry Williams, DGM, Human Relations clarified that the 7.5% retirement contribution was, for most unions, a one year deal only. All unions have a reopener on this issue. Gigi Harrington added that the cost of the employee contribution is approximately \$10-12 million. Director Burns noted that the MTA's approach is consistent with the citywide planning efforts.

Julia Dawson, DPT Deputy Director, Finance, noted that there is a projected deficit of \$1.5 million for FY04, mostly due to a 25% decrease in the use of parking meters. The FY05 deficit is \$2 million, assuming that anticipated revenues stay at the '04 levels.

Director Burns concluded by saying that there is an combined deficit of \$27.6 million. Staff is looking at a variety of tools used in past including controlling costs, service management, labor participation, and new revenue sources.

8. Citizen's Advisory Council Report

No report was made.

9. Public Comment

Barry Taranto hopes that 2004 brings prosperity to everyone. People aren't parking or taking taxis but are staying on Muni. PCO's should get double parkers on Castro and on Polk Sts. as people are parking for an extended period of time. He is glad to hear that more cabstands are being installed. Existing stands need to be enforced and the cost for illegally parking at those stands should be increased to \$100.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds as are or will be available in payment of the following claims against the MTA:

- A. Kenyetta Brewer, Superior Ct. CGC400199, filed on 1/8/03 for \$1,500
- B. State Farm, Superior Ct. #418626, filed on 3/24/03 for \$2,435.48
- C. Leonids Makrusins, Unlitigated Claim #0400609, filed on 8/27/03 for \$2,495.71
- D. Chik To Wong, Superior Ct. #407954, filed on 5/16/02 for \$3,047
- E. Rosa Ruderman, Superior Ct. #318470, filed on 2/27/01 for \$6,000
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- G. John Clark, Superior Ct. #407796, filed on 5/9/02 for \$10,000
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- I. James Burrell, Superior Ct. #315752, filed on 10/10/00 for \$17,500
- J. Oswaldo Cruz, Superior Ct. 423513, filed on 3/5/03 for \$22,000
- K. 555 California St. Partners, Superior Ct. 96829 filed on 3/24/95 for \$66,334

RESOLUTION 04-001

Chairman Flynn asked staff to do a better job when they prepare calendar items as the figures listed for the Makrusins case are incorrect and the amount asked for is in excess of the claim.

(10.2) Approving the plans and specifications and authorizing bid call for Contract No. MR-1194, System-wide Rail Grinding Project. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

Chairman Flynn asked staff to pay closer attention to the details in staff reports, as the contract number listed on the financial plan is different.

RESOLUTION 04-002

(10.3) Approving Modification No. 6 to Contract No. MR-1146, Third Street Light Rail Project: Traction Power Systems Project, with Mitchell Engineer to substitute EG Construction for the listed subcontractor, Doliver Construction. (Explanatory documents include a staff report, resolution, modification and financial plan.) (MUNI)

Chairman Flynn continues to be concerned about change orders on contracts, calling it an old trick that is used to get more money. He asked staff to continue the item until information could be provided about the amount of the original bid and the amount of the next lowest bidder. Director Kasolas asked that the requested information be provided for all contract modifications.

No action was taken. Item 10.3 was continued to the next meeting.

(10.4) Authorizing the Director to execute the Seventh Amendment to Contract No. CS-116 with the Association of AGS, Inc. and Gannett Fleming, Inc. for Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility, to extend the Agreement by six months, for a total contract time of six years at no additional cost. (Explanatory documents include a staff report, resolution, agreement and financial plan.) (MUNI)

RESOLUTION 04-003

(10.5) Authorizing the Director to submit a supplemental appropriation request to the Board of Supervisors for \$1,485,683 to fund the relocation of layover activities and operator restrooms; reimburse project development, oversight maintenance and support costs; and beautify subway vent as required by the Arts Commission for the Mission Steuart hotel development. (Explanatory documents include a staff report, and resolution.) (MUNI)

This item was continued at the request of staff.

(10.6) Authorizing the Director to execute and file an application for \$1,987,000 of TEA 21 Section 70 program funding with the U.S. Department of Transportation for Muni's Next Bus Real Time Vehicle Location Information project. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-004

(10.7) Authorizing the Department of Public Works to reject all proposals for Contract No. 6179A: DPT Signal Shop Remodel Contract and authorizing DPT to advertise the availability of the new bid package and solicit proposals. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

RESOLUTION 04-005

(10.8) Authorizing the approval of Department of Parking and Traffic's sole source contract with Fourth Dimension Traffic for D4 software licenses for Type 2070 Signal Traffic Controllers for 65 signal traffic controllers at intersections along the Third Street Light Rail corridor at a cost of \$35,100, and up to 1,700 hours of training and consulting services for an amount not to exceed \$94,265, for a total contract amount not to exceed \$129,365. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

RESOLUTION 04-006

No public comment

On motion to approve the Consent Calendar (Item 10.3 and 10.5 severed):

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute the "Special Transit Fare Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District," which extends the use of the Muni Fast Pass[®] on BART in San Francisco through December 31, 2004, and increases the reimbursement from Muni to BART to \$0.87 per ride. (Explanatory documents include a staff report, resolution and agreement.)

PUBLIC COMMENT:

Bruce Oka commented that the issue of discount passes and stickers for disabled Muni riders on BART has been an ongoing issue for years. He attended a BART board of directors meeting recently and informed them that the policy regarding the disabled and senior community in San Francisco is discriminatory and if it continues, MAAC and others will organize a protest action up to and including a class action lawsuit to correct this discriminatory practice. MAAC passed a resolution giving BART directors ninety days to come up with a solution. This is clearly not Muni's doing and Muni has always supported this change.

Edward Mason agrees with Mr. Oka. San Francisco has no parking lots for BART while the East Bay has parking structures that cost \$40,000 per space. There's a trade-off that needs to be negotiated.

Director Burns stated that he did meet with Mr. Oka and Mr. Planthold and also met with Tom Margro. BART continues to be a reluctant partner and they believe that this arrangement unfairly subsidizes San Francisco riders. The technology issues continue but will be resolved with the installation of new fare gates.

RESOLUTION 04-007

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

12. Urging the Board of Supervisors to approve the lease agreement and authorizing the Director to execute the lease with the Union Pacific Railroad for approximately 600 feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, for \$10 per year, and a one-time administrative fee of \$500 per lease, for a total cost of \$750, and requiring the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Explanatory documents include a staff report, resolution and agreement.)

No public comment.

RESOLUTION 04-008

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

13. Authorizing the Director to request proposals, and negotiate a contract with the highest ranked qualified advertising firm for Exclusive Rights to Install, Display and Maintain Advertising on Muni Revenue Vehicles and Metro Platform Display Sign System for a term not to exceed five years. (Explanatory documents include a staff report, resolution and RFP.)

No public comment.

RESOLUTION 04-009

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Flynn called the closed session to order at 5:36 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Fred Stephens, General Manger
Mike Hursh, DGM, Maintenance

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved.

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Joseph Ravicini, Superior Ct. #412938, filed on 10/23/03 for \$675,000

RESOLUTION 04-010

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 5:45 p.m.

14. Announcement of Closed Session.

Chairman Flynn announced the board met in closed session to discuss the Ravicini case with the city attorney. The board voted unanimously to settle the case.

15. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved.

ADJOURN - The meeting was adjourned at 5:46 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

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ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

BOARD OF DIRECTORS

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Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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JAN 16 2004

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401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

(415) 554-6896 FAX (415) 554-4143



ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-January 6, 2004 Regular Meeting

5. Communications
6. Introduction of New or Old Business by Board Members

(6.1) Election of MTA Board Chairman and Vice Chairman pursuant to MTA Rules of Order

7. Director's Report (For discussion only)

- Third Street Light Rail Project Budget
- FY2005 MTA Budget
- Ongoing Activities

8. Citizen's Advisory Council Report

9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds as are or will be available in payment of the following claims against the MTA:

- A. Mary Thomas, Superior Ct. #178736 filed on 6/8/00 for \$0.00
- B. Guy Thomas, Superior Ct. #409009 filed on 6/11/02 for \$689 (DPT)
- C. Farmers Ins., Superior Ct. #408065 filed on 5/17/02 for \$850.68
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- L. Felicia Urey-Gaye, Sampson Gaye, Superior Ct. #407170 filed on 4/25/02 for \$65,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "X" – Missouri Street, both sides, between 20th and 22nd Streets; Sierra Street, north side, between Missouri and Texas Streets.
- B. ESTABLISH TOW-AWAY, NO STOPPING ANYTIME –Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly; Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street; Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.
- C. ESTABLISH TOW-AWAY, NO PARKING ANYTIME – Edgar Place, east side, from 80 feet south of Niagara Avenue to the southern terminus.
- D. ESTABLISH PERPENDICULAR (90-DEGREE ANGLE) PARKING – Ellis Street, south side, from Laguna Street to 350 feet westerly; Waller Street, north side, from Divisadero Street to Broderick Street; Market Street, north side, between the east and west curb lines of Steuart Street
- E. RESCIND NO PARKING ANYTIME and ESTABLISH NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY – Vega Street, north side, between Anza Vista and Nido Avenues and Nido Avenue, west side, between Turk and Vega Streets
- F. RESCIND TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY and 10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY and EXTEND PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) – Market Street, north side, between the east and west curb lines of Steuart Street
- G. RESCIND TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY and ESTABLISH TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY –3rd Street, both sides, from Mission to Market Streets, 3rd Street, west side, from Howard to Mission Streets. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Approving Modification No. 6 to Contract No. MR-1146, Third Street Light Rail Project: Traction Power Systems Project, with Mitchell Engineer to substitute EG Construction for the listed subcontractor, Doliver Construction. (Explanatory documents include a staff report, resolution, modification and financial plan.) (MUNI)

(This item was continued from the January 6 meeting.)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Consenting to the jurisdictional transfer of the Geneva Office Building and Powerhouse and portions of property surrounding the building to the Recreation and Park Commission; finding the actions are categorically exempt from CEQA and authorizing the Director to enter into an MOU with the Commission. (Explanatory documents include a staff report, resolution, map and MOU.)

12. Authorizing the Director to execute Contract Modification No. 12 to Contract No. 309 with ANSALDOBREDA for completion of the video surveillance retrofit; installation of the Emergency Brake Acceleration Limiting Device; overhaul of the brake system; funding for spare parts and repair of damaged vehicles; and modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions; in an amount not to exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455. (Explanatory documents include a staff report, resolution and contract modification.)

13. Authorizing the Director to submit a supplemental appropriation request for \$12,275,000 in lease-leaseback revenues to fund operational safety and passenger security enhancements in Modification No. 12 to Contract No. 309 with ANSALDOBREDA. (Explanatory documents include a staff report, and resolution.)

14. Authorizing the Director to execute Amendment No. 3 to Contract CS No. 114, Consulting Engineering and Support Services for the Trolley Coach Replacement Program with Booz Allen Hamilton to increase the contract amount by \$1,201,884, for a total amount not to exceed \$7,635,384, and to extend the term of the contract to December 31, 2006. (Explanatory documents include a staff report, resolution and contract amendment.)

ADJOURN

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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

DOCUMENTS DEPT.

TUESDAY, JANUARY 20, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

JAN 28 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
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Roberta Boomer
BOARD SECRETARY

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☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Flynn called the meeting to order at 4:09 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Flynn announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. He advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the January 6, 2004 Regular Meeting: unanimously approved.

5. Communications

Director Burns announced that due to activity on the tow contract, he is asking the Board to meet in closed session for a conference with the City Attorney to discuss anticipated litigation with the city as plaintiff. He noted that pursuant to Section 54956.9C of the Brown Act and Section 67.7 (e) (2) of the Administrative Code, a policy body could take actions on an item that doesn't appear on the posted agenda. The Board would have pass a motion finding that the need to take action is imperative and poses a threat of serious injury to the public interest and that the need for action came to attention of the Board after the agenda had been posted. The closed session would take place upon conclusion of the regular agenda.

No public comment.

On motion to hold a closed session finding that the need to take action is imperative and

threatens serious injury to the public interest if action were deferred and that need for this action came to the attention of the policy body subsequent to the agenda being posted: unanimously approved.

6. Introduction of New or Old Business by Board Members

(6.1) Election of MTA Board Chairman and Vice Chairman pursuant to MTA Rules of Order

On motion to elect Director Vaughns as Chairman: unanimously approved.

On motion to elect Director Kasolas as Vice Chairman: unanimously approved.

Chairman Vaughns thanked her colleagues for their confidence. She recognized that the board is indebted to Immediate Past Chairman Flynn, with whom it has been a privilege to serve. Vice Chairman Kasolas also thanked the board for their vote.

Chairman Vaughns asked the Immediate Past Chairman to continue with the agenda.

7. Director's Report (For discussion only)

- Third Street Light Rail Project Budget
- FY2005 MTA Budget
- Ongoing Activities

Director Burns thanked Immediate Past Chairman Flynn for his leadership and expressed his appreciation for his guidance over the years. He congratulated Chairman Vaughns and Vice Chairman Kasolas on their election.

DPT has been conducting a Holiday Toy Drive since 1998, coordinated by Parking Control Officer Alicia Hopkins. This year over 1,000 toys were donated to San Francisco General Hospital, the Potrero Hill Health Clinic and other facilities throughout the city. Congratulations on a successful toy drive.

The Controller's Audit of the Transportation Authority is expected to be complete this week. Prop. B funds for the 3rd St. Project are being held but they are expected to be released in February.

Recently DPT staff has made numerous improvements to the Plymouth and Monterey. Staff will monitor the impact of these changes and will continue to work with the neighborhood. Staff also began an area-wide traffic study.

Vince Harris, Deputy General Manager, Construction gave an overview of the Third St. construction and project funding. Staff will be requesting \$14.1 million in additional funds for administration of the Construction Manager/General Contractor construction method,

construction of a loop at Mission Bay and for the Apprenticeship Program.

In response to a question by Director Din, Mr. Harris noted that the southern terminus is currently funded at \$17 million. This amount may change pending final discussions with the neighborhood.

Director Burns began the second presentation of the MTA's FY05 budget, which primarily deals with expenses and revenues. Staff is working with the Mayor's Budget Office to develop solutions that match the city's budget. They will present a detailed budget and suggestions for resolving the deficit at the next meeting.

Alicia Fletcher, Muni's Budget Manager, and Julia Dawson, Deputy Director, DPT Finance presented the FY'05 budget including the fiscal outlook, revenues, expenditures and various appropriations.

Immediate Past Chairman Flynn asked staff to show the actual budget for last year so that the line items of both budgets could be compared.

8. Citizen's Advisory Council Report

Daniel Murphy, Chairman, CAC offered congratulations to the newly elected Chairman and Vice Chairman on behalf of the CAC. The CAC recommends extending the delivery of information to passengers via bus shelters and signs. The CAC also suggested that Muni notify people when Passenger Service Reports are closed as people feel that their complaints aren't being acted upon. He also discussed the Kirkland property reuse proposal and recommended that cost savings and the cost of deadheading buses be included in any plan. Maximization of revenue should be considered. ~~The CAC has reviewed a proposed advertising policy and urges its' approval.~~

9. Public Comment

Barry Taranto noted that he has had two positive experiences with Muni and DPT. An operator waited to see if he wanted to catch the bus one day. At DPT, he was able to get a quick hearing and response over a citation he was protesting. He is concerned that DPT is gouging the Taxi Commission for costs and suggested that DPT look at their fare structure and charge fees that are more appropriate. DPT should also consider taxis as being an adjunct to Muni.

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- J. Margie Owen, Superior Ct. #417366 filed on 2/13/03 for \$35,000
- K. Ernest Edward Emig, Superior Ct. #316284 filed on 10/31/00 for \$60,000 (DPT)
- L. Felicia Urey-Gaye, Sampson Gaye, Superior Ct. #407170 filed on 4/25/02 for \$65,000

RESOLUTION 04-011

~~(10.2) Approving the following traffic modifications:~~

- A. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "X" – Missouri Street, both sides, between 20th and 22nd Streets; Sierra Street, north side, between Missouri and Texas Streets.
- B. ESTABLISH TOW-AWAY, NO STOPPING ANYTIME –Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly; Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street; Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.
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- F. RESCIND TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY and 10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY and EXTEND PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) – Market Street, north side, between the east and west curb lines of Steuart Street
- G. RESCIND TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY and ESTABLISH TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY –3rd Street, both sides, from Mission to Market Streets, 3rd Street, west side, from Howard to Mission Streets. (Explanatory documents include a staff report, and resolution.) (DPT)

PUBLIC COMMENT:

Barry Taranto asked that Item 10.2G, extending the Tow-Away zone on 3rd St. by one hour be severed. He stated that while the staff proposal is necessary, the West side of 3rd St. should be exempted. Argent Hotel has a lot of business and overzealous PCO's will tag taxi drivers who pick up passengers there. He asked the board to either continue the matter or exempt the West Side of Third St.

Bond Yee, Traffic Engineer responded by saying that between 6:00 p.m. and 7:00 p.m. there is heavy traffic use, including buses, and much congestion. There is some impact to the Museum of Modern Art and to the Argent Hotel but neither entity objected at the public hearing. Extending the restriction to 7:00 p.m. is important for smooth traffic flow. He requested that the board approve the staff recommendation.

RESOLUTION 04-012

~~On motion to approve Item 10.2G:~~

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

(10.3) Approving Modification No. 6 to Contract No. MR-1146, Third Street Light Rail Project: Traction Power Systems Project, with Mitchell Engineer to substitute EG Construction for the listed subcontractor, Doliver Construction. (Explanatory documents include a staff report, resolution, modification and financial plan.) (MUNI)

Chairman Flynn commended Vince Harris and his staff for their responsiveness to the concerns expressed by the board at the last meeting.

RESOLUTION 04-013

On motion to approve the Consent Calendar (10.2G severed):

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Consenting to the jurisdictional transfer of the Geneva Office Building and Powerhouse and portions of property surrounding the building to the Recreation and Park Commission; finding the actions are categorically exempt from CEQA and authorizing the Director to enter into an MOU with the Commission. (Explanatory documents include a staff report, resolution, map and MOU.)

No public comment.

RESOLUTION 04-014

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

12. Authorizing the Director to execute Contract Modification No. 12 to Contract No. 309 with ANSALDOBREDA for completion of the video surveillance retrofit; installation of the Emergency Brake Acceleration Limiting Device; overhaul of the brake system; funding for spare parts and repair of damaged vehicles; and modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions; in an amount not to exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455. (Explanatory documents include a staff report, resolution and contract modification.)

No public comment.

RESOLUTION 04-015

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

13. Authorizing the Director to submit a supplemental appropriation request for \$12,275,000 in lease-leaseback revenues to fund operational safety and passenger security enhancements in Modification No. 12 to Contract No. 309 with ANSALDOBREDA. (Explanatory documents include a staff report, and resolution.)

No public comment.

RESOLUTION 04-016

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

14. Authorizing the Director to execute Amendment No. 3 to Contract CS No. 114, Consulting Engineering and Support Services for the Trolley Coach Replacement Program with Booz Allen Hamilton to increase the contract amount by \$1,201,884, for a total amount not to exceed \$7,635,384, and to extend the term of the contract to December 31, 2006. (Explanatory documents include a staff report, resolution and contract amendment.)

No public comment.

RESOLUTION 04-017

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, McCray and Vaughns

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Immediate Past Chairman Flynn called the closed session to order at 5:30 p.m.

2. Roll Call

~~Present: Shirley Breyer Black~~

Mike Casey

Wil Din

H. Welton Flynn

Michael Kasolas

James McCray, Jr.

Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation

Roberta Boomer, Board Secretary

Julia Friedlander, Deputy City Attorney

Gerry Norman, Deputy Director, DPT

Julia Dawson, Deputy Director, Finance

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved.

4. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

_____ As defendant X As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:12 p.m.

15. Announcement of Closed Session.

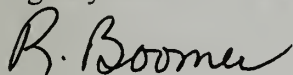
Immediate Past Chairman Flynn announced the board met in closed session for a conference with the city attorney over anticipated litigation with the city as plaintiff. The board took no action.

16. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Casey-absent).

ADJOURN - The meeting was adjourned at 6:13 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, FEBRUARY 3, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-January 20, 2004 Regular Meeting

5. Communications
6. Introduction of New or Old Business by Board Members
7. Director's Report (For discussion only)

-Special Recognition Award

-Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds as are or will be available in payment of the following claims against the MTA:

- A. Barry Baron, Unlitigated Claim #0401292 filed on 11/03/03 for \$5,689.34
- B. Emilia Alarcon, Unlitigated Claim #0301840 filed on 12/5/02 for \$7,750
- C. William Thomas, Unlitigated Claim #0400943 filed on 9/29/03 for \$8,449.51
- D. Scott Meyer, Unlitigated Claim #0401535 filed on 12/01/03 for \$21,684.62
- E. David Yeh Unlitigated Claim 0401642 filed on 12/12/03 for \$27,993.32

REGULAR CALENDAR

MUNICIPAL RAILWAY

- 11. Informational presentation on the FY 2005 budget for the Municipal Transportation Agency. (Explanatory documents include a staff report.)
- 12. Approving and adopting an advertising policy that govern the types of advertisements allowed on MTA property. (Explanatory documents include a staff report, resolution and policy.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

- 1. Call to Order
- 2. Roll Call
- 3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
- 4. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

- 13. Announcement of Closed Session.
- 14. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, FEBRUARY 3, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

DOCUMENTS DEPT.

FEB 13 2004

SAN FRANCISCO
PUBLIC LIBRARY

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:03 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
H. Welton Flynn
Michael Kasolas
Cleopatra Vaughns

Absent: Mike Casey
James McCray, Jr.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the January 20, 2004 Regular Meeting: unanimously approved (Casey, Kasolas, McCray-absent).

5. Communications

The board secretary announced that the closed session listed on the meeting agenda had been cancelled.

6. Introduction of New or Old Business by Board Members

Director Flynn is concerned about the second quarter EEO report and asked that it be calendared for discussion at the next meeting.

7. Director's Report (For discussion only)

-Special Recognition Award

-Ongoing Activities

Director Burns noted that the reason that the closed session was cancelled is because the threat of litigation over the tow contract is not an issue at this time.

Director Burns is pleased to recognize Linton Stables for his significant contribution to public transportation in San Francisco. Linton has a long history of community involvement and has been a staunch supporter of Muni. He served as the CAC's inaugural chairman and has been a thoughtful critic and Muni champion.

Dan Murphy, Chairman, CAC thanked Mr. Stables for his service on behalf of the CAC, adding that Linton has been a gentle presence moving the CAC forward when they get bogged down. Linton Stables feels privileged for the opportunity to serve. He will miss San Francisco a great deal. Chairman Vaughns thanked Mr. Stables on behalf of the Board.

Director Burns introduced Wilson Johnson as the new Muni Deputy General Manager, Transportation. Mr. Johnson has thirty-five years of transportation experience, most recently at BART. His immediate challenge will be to continue to improve on-time performance and reliability. Chairman Vaughns welcomed Mr. Johnson to the Muni team.

Recently Mayor Newsom toured the Woods Transportation and Maintenance facilities and the Cable Car Carpentry Shop. He spent over 2 ½ hours at Muni. Mayor Newsom will be visiting other city departments.

The Transportation Audit has been completed but funds won't be released until March, which is later than anticipated. Staff is working with the TA but if there is a delay in the release of funds, work may have to stop on some of the Third Street Segments.

The Federal Transportation Association announced a "recommended" rating for the Third St. Project including Phase 2, the New Central Subway. This rating is not a guarantee of money but means that Phase 2 will continue to advance. President Bush recently signed a spending bill that includes money for the Third St. Project and other important Muni projects. San Francisco's congressional delegation worked hard to secure these funds.

The Chinese New Year Parade will be on Saturday, February 7. Over 700,000 people are expected to participate. 15 Muni lines will be affected and DPT will be providing extra service. There is also a Monster truck rally so extra metro service will be added to accommodate the crowds.

Staff has been working with Supervisor McGoldrick to update the Transit Impact Development Fee. He recently introduced legislation that expands the area and increases the fee. Residential development will be exempt. There is added flexibility for use of the money as well.

Director Flynn anticipates that contractors will file claims if work stops on the Third St. Project

because of a funding delay.

Gerald Norman, Deputy Director, DPT reviewed the status of the Tow Contract. City Tow has agreed that March 1 to March 15th is a more reasonable time frame to cease their operation. Staff is currently negotiating a temporary contract with Auto Return to take over from City Tow. Auto Return would work under substantially the same terms as the current contract. He hopes to present the permanent contract to the Board in May or June. Staff is briefing the Board of Supervisors on this item and has dedicated a large number of staff resources to getting this project moving quickly. Staff is also working on a transition plan. Both companies have been very cooperative and they expect a smooth transition.

8. Citizen's Advisory Council Report

Dan Murphy, Chairman, CAC, stated that they are currently meeting with staff on the budget and will present their recommendations as soon as possible.

9. Public Comment

Barry Taranto commented that the installation of stop signs on Marina Blvd. has created a traffic mess on Doyle Drive and Lombard in the morning. The situation is horrible and is something the board should investigate. With respect to the pedestrian accident on Park Presidio, there must be a way to give better warning to pedestrians. The Enforcement Division has to get limousines and town cars out of cabstands. If you aren't going to clear the stands, then DPT should charge taxis for having them.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds as are or will be available in payment of the following claims against the MTA:

- A. Barry Baron, Unlitigated Claim #0401292 filed on 11/03/03 for \$5,689.34
- B. Emilia Alarcon, Unlitigated Claim #0301840 filed on 12/5/02 for \$7,750

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- D. Scott Meyer, Unlitigated Claim #0401535 filed on 12/01/03 for \$21,684.62
- E. David Yeh Unlitigated Claim 0401642 filed on 12/12/03 for \$27,993.32

The board secretary noted that resolution for this item needed to be amended so that the David Yeh case would be approved for \$24,156.57. The original figure didn't reflect the deduction for the salvage recovery on the vehicle involved.

RESOLUTION 04-018

No public comment.

On motion to approve the Consent Calendar as amended:

ADOPTED: AYES – Black, Din, Flynn, Kasolas, and Vaughns

ABSENT - Casey and McCray

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Informational presentation on the FY 2005 budget for the Municipal Transportation Agency. (Explanatory documents include a staff report.)

Director Burns stated that staff is working with a lot of assumptions in the budget as they wait for the city to work through their budget process. Due to changes in anticipated revenues, the current deficit is just over \$34 million, which is about \$5 million worse than what was reported at the Jan. 20th meeting. These proposals don't cover the entire deficit. The MTA must have a balanced budget on March 1. One proposed change is to the Paratransit fares to bring equity amongst the users of different Paratransit services.

Alicia Fletcher, Muni Budget Manager and Julia Dawson, DPT Budget Manager presented the budget and reviewed possible solutions. Currently Muni is looking at approximately 125 layoffs and DPT is looking at 25. If economic conditions get worse, they may have to look at further reductions.

Chairman Vaughns asked staff to provide an in depth look at the proposed solutions for the next meeting.

Director Flynn is concerned about the SFMRIC loan and asked for an update at the next meeting.

Annette Williams, Manager, Accessible Services presented the Paratransit Coordinating Council's recommendation to change paratransit fares. They wish to retain affordable fares in all

modes and to achieve fare equity. The current lift and group van fares are much lower than taxi and ADA access fares.

Chairman Vaughns suggested that staff take a serious look at the fines paid by trucks that double park, as they should be heavily fined.

PUBLIC COMMENT:

Barry Taranto thinks that people should get out of vans and into taxicabs as it costs the city more money for disabled people to take other modes than taxicabs. Some tickets, such as white zone, taxi stand, double-parking, should increase as these violations occur when people are too lazy to move. DPT staff can double the number of tickets written.

12. Approving and adopting an advertising policy that govern the types of advertisements allowed on MTA property. (Explanatory documents include a staff report, resolution and policy.)

PUBLIC COMMENT:

Norman Rolfe noted that the policy, when presented to the CAC called for no liquor ads and wondered if it was still part of the policy. He thinks the ban might be counterproductive if it impacts revenue.

RESOLUTION 04-019

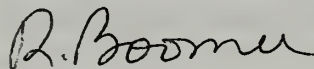
On motion to approve:

ADOPTED: AYES – Black, Din, Flynn, Kasolas, and Vaughns

ABSENT - Casey and McCray

ADJOURN - The meeting was adjourned at 5:23 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

DOCUMENTS DEPT.

TUESDAY, FEBRUARY 17, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

FEB 13 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING
4:00 P.M.

02-13-04 11:11 PM

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

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Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

(415) 554-6896 FAX (415) 554-4143



ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-February 3, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members

-2nd Quarter EEO Report

7. Director's Report (For discussion only)

-Ongoing Activities

8. Citizen's Advisory Council Report

9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

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(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Nga Pham, Superior Ct. #416547 filed on 1/21/03 for \$3,125
- B. John & Mary Kabala, Superior Ct. #407106 filed on 4/24/03 for \$5,000 (DPT)
- C. Kelly Long, Superior Ct. #404057 filed on 1/31/02 for \$5,000
- D. Jeffrey Shoemaker, Unlitigated Claim #0474551 filed on 8/28/03 for \$6,460.42
- E. Brian Borsos & Douglas Wu, Unlitigated Claim #0486491 filed on 12/17/03 for \$6,949.57
- F. Maya Holdvekt, Litigated Claim #0301535 filed on 11/12/03 for \$13,000
- G. Jason Talavera & Aye Hnin, Unlitigated Claim #0486492 filed on 12/22/03 for \$15,370.53
- H. Claudia Alvarez, Superior Ct. #314066 filed on 8/2/00 for \$20,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME Portola Drive, south side, from Diamond Heights Boulevard to 100 feet easterly
- B. ESTABLISH - NO PARKING ANYTIME Waterville Street, east side, across from the north property line of 6 Waterville Street to the northern terminus of the roadway.
- C. RESCIND - TOW-AWAY, NO STOPPING ANYTIME; RESCIND - RIGHT LANE MUST TURN RIGHT; ESTABLISH - TAXI ZONE Polk Street, west side, between Redwood and McAllister Streets
- D. RESCIND - TAXI STAND Dr. Carlton B. Goodlett Place, east side, from 208 feet to 232 feet south of McAllister Street
- E. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 9 AM - 9 PM, MONDAY THROUGH FRIDAY) Oak Street, both sides, between Gough and Octavia Streets; 179 Oak Street, between Franklin and Gough Streets
- F. ESTABLISH - UNMETERED MOTORCYCLE PARKING Noe Street, east side, from Elizabeth Street to 11 feet southerly. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the Director to accept, and expend \$191,205 of State Traffic Systems Management Revenues for Muni's Transit Signal System Preemption project. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.4) Approving the plans and specifications, and authorizing the Director to advertise bid call for Contract No. MR-1203: Bayview Connections. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.5) Accepting Contract No. MR-1193, The Zoo Loop Rail Replacement Project, approving the final contract amount of \$3,347,795.49, authorizing the release of retention in the amount of \$5,000, and closeout of this contract with Homer J. Olsen/Shimmick Construction. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.6) Recommending that the Board of Supervisors concur with the Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing,

Storage and Disposal of Abandoned and Illegally Parked Vehicles than to provide the same services with City and County employees. (Explanatory documents include a staff report, contract and certification.) (DPT)

REGULAR CALENDAR

MUNICIPAL TRANSPORTATION AGENCY

11. Informational presentation on the FY 2005 budget for the Municipal Transportation Agency. (Explanatory documents include a staff report.)

12. Public Hearing to consider the MTA's proposal to consider fee, fare and rate changes for the Municipal Railway and for the Department of Parking and Traffic.

DEPARTMENT OF PARKING AND TRAFFIC

13. Authorizing the Director to enact the following regulation governing the parking of vehicles in accordance with provisions of the San Francisco Traffic Code:

ESTABLISH - CONSULATE PARKING ONLY, AT ALL TIMES - Baker Street, east side, from 11 feet to 64 feet north of Green Street (53-foot zone). (Explanatory documents include a staff report and resolution.)

14. Authorizing the Director to execute an emergency interim service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles with TEGSCO/San Francisco Auto Return, on substantially the same terms applicable under the current contract for a term commencing in March 2004 and not to exceed one year, for the purpose of maintaining continuity of service and protecting the public welfare while the City negotiates a long-term contract for these services. (Explanatory documents include a staff report, contract and resolution.)

MUNICIPAL RAILWAY

15. Authorizing the Director to execute Contract Amendment No. 4 to Contract CS-103, Professional Engineering Consultant Services to support MUNI Light Rail Vehicle Procurement, with Booz Allen & Hamilton Inc. for further consulting services through closeout of light rail vehicle replacement program; increasing the contract by \$1,500,978, for a total contract amount not to exceed \$17,223,332; and extending the term of the contract through December 31, 2007. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

16. Authorizing the award of Contract No. MR-1186, Cable Car Traffic Signal Preemption at California Street and Grant Avenue, to Millard Tong Construction Company for a total contract amount of \$329,848. (Explanatory documents include a staff report, resolution and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

- (4.1) Carmen Marcel-Almodovar, Superior Ct. #404422 filed on 2/13/02 for \$1,000,000

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

17. Announcement of Closed Session.
18. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

DOCUMENTS DEPT.

TUESDAY, FEBRUARY 17, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

MAR 11 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

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401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:05 p.m.

2. Roll Call

Present: Wil Din

H. Welton Flynn

Michael Kasolas

James McCray, Jr.

Cleopatra Vaughns

Absent: Shirley Breyer Black

Mike Casey

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the February 3, 2004 Regular Meeting: unanimously approved (Casey, Black, McCray-absent).

5. Communications

The secretary announced that the Interim Tow Contract Agreement had been removed from the agenda at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

-2nd Quarter EEO Report

Director Flynn has spoken with staff about the report and is satisfied with the report.

7. Director's Report (For discussion only)

-Ongoing Activities

Director Burns announced that Norm Mineta, Secretary of Transportation, has requested a tour of the Third Street Project, Phase I and II. The tour is scheduled for Friday however final details are still being discussed. This is good news following the recent recommended rating by the Department of Transportation for Phase II, the New Central Subway.

The Transportation Audit has been completed but the report has not yet been issued. Muni is on schedule to receive appropriations in March. Staff anticipates no construction delays for any ongoing project.

Muni will be substituting a bus for J-Church service for the next two weekends to do some work on the line, weather permitting. Staff is coordinating outreach to the community. This work is scheduled to occur at a time that will have the least effect on residents and riders.

The Transportation Authority is conducting a Muni Rider survey in February and March. The data will be used to improve their travel demand model. This model is an important tool for planning and funding purposes. Every line will be surveyed. The survey is available in English, Spanish and Chinese.

Director Din asked for a copy of the survey. Director Kasolas would like to know the results of the survey once it is complete.

8. Citizen's Advisory Council Report

No report was presented.

9. Public Comment

Barry Taranto has tried to convince DPT staff that there was an illegal no right turn on Doyle Dr. He thinks that residents are tired of the extra traffic on Lombard St. and suggests that engineering staff look at the situation. Traffic lights should be installed on Marina Blvd. to alleviate the traffic problems on Richardson and Lombard. There continues to be problems with limousines parking in yellow zones. Double-parking in certain commercial areas should be better enforced.

David Pilpel wondered about the on-time performance goal of 85%, which is to be met on July 1 of this year. He asked when the timetable would be published and is concerned about missed service. He would like to see the plan to meet the service standards.

Glenda Lavigne, President, Local 200 is concerned about the glass ceiling at Muni as it seems that nobody from within Muni is qualified to fill senior level positions. Proposition E can't be violated.

William Sisk, President, Local 250A noted that Woods is already missing service. He thinks Proposition E is a joke.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Nga Pham, Superior Ct. #416547 filed on 1/21/03 for \$3,125
- B. John & Mary Kabala, Superior Ct. #407106 filed on 4/24/03 for \$5,000 (DPT)
- C. Kelly Long, Superior Ct. #404057 filed on 1/31/02 for \$5,000
- D. Jeffrey Shoemaker, Unlitigated Claim #0474551 filed on 8/28/03 for \$6,460.42
- E. Brian Borsos & Douglas Wu, Unlitigated Claim #0486491 filed on 12/17/03 for \$6,949.57
- F. Maya Holdvekt, Litigated Claim #0301535 filed on 11/12/03 for \$13,000
- G. Jason Talavera & Aye Hnin, Unlitigated Claim #0486492 filed on 12/22/03 for \$15,370.53
- H. Claudia Alvarez, Superior Ct. #314066 filed on 8/2/00 for \$20,000

RESOLUTION 04-020

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME Portola Drive, south side, from Diamond Heights Boulevard to 100 feet easterly
- B. ESTABLISH - NO PARKING ANYTIME Waterville Street, east side, across from the north property line of 6 Waterville Street to the northern terminus of the roadway.
- C. RESCIND - TOW-AWAY, NO STOPPING ANYTIME; RESCIND - RIGHT LANE MUST TURN RIGHT; ESTABLISH - TAXI ZONE Polk Street, west side, between Redwood and McAllister Streets
- D. RESCIND - TAXI STAND Dr. Carlton B. Goodlett Place, east side, from 208 feet to 232 feet south of McAllister Street
- E. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 9 AM - 9 PM, MONDAY THROUGH FRIDAY) Oak Street, both sides, between Gough

- and Octavia Streets; 179 Oak Street, between Franklin and Gough Streets
- F. ESTABLISH - UNMETERED MOTORCYCLE PARKING Noe Street, east side, from Elizabeth Street to 11 feet southerly. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-021

(10.3) Authorizing the Director to accept, and expend \$191,205 of State Traffic Systems Management Revenues for Muni's Transit Signal System Preemption project. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-022

(10.4) Approving the plans and specifications, and authorizing the Director to advertise bid call for Contract No. MR-1203: Bayview Connections. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

RESOLUTION 04-023

(10.5) Accepting Contract No. MR-1193, The Zoo Loop Rail Replacement Project, approving the final contract amount of \$3,347,795.49, authorizing the release of retention in the amount of \$5,000, and closeout of this contract with Homer J. Olsen/Shimmick Construction. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

RESOLUTION 04-024

(10.6) Recommending that the Board of Supervisors concur with the Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles than to provide the same services with City and County employees. (Explanatory documents include a staff report, contract and certification.) (DPT)

RESOLUTION 04-025

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES –Din, Flynn, Kasolas, and Vaughns

ABSENT - Black, Casey, McCray

REGULAR CALENDAR

MUNICIPAL TRANSPORTATION AGENCY

11. Informational presentation on the FY 2005 budget for the Municipal Transportation Agency. (Explanatory documents include a staff report.)

Chairman Vaughns asked the Secretary to call Items 11 and 12 together.

Michael Burns, Director of Transportation reviewed the revenues, expenses and presented possible solutions. The board will hold a special meeting on Friday, February 27th to act on the budget, however the budget will continue to evolve over the next few months. He has offered two briefings to the unions.

Alicia Fletcher, Muni Budget Manager reviewed the FY05 Muni budget and proposed solutions. Muni has a projected deficit of \$31.9 million. Health care costs have increased by 17% and the employer retirement contribution is currently set at 4.5%. There are a number of assumptions within the budget including employees will continue to contribute to their own retirement, there will be no wage increases, and this will be the last year of the economic downturn.

Peter Straus, Manager, Service Planning, reviewed the proposed service adjustments. Ridership has declined in recent years so staff has adjusted service to match current ridership levels. There are a few lines that are over capacity and Muni has few problems with pass-ups. Many lines are performing well below the standard so there is room to make adjustments without significantly impacting riders. Other Bay Area transit properties have reduced service by 25-30%. Muni's total magnitude is less than 3%. Service is being added to some lines.

Director Flynn called some of the adjustments phenomenal and wondered why staff hasn't made these adjustments before now. Director Flynn also asked staff to provide the board with the plan to pay back the monies borrowed from the Lease/Leaseback fund.

Chairman Vaughns asked for more details on the 5307 funds and the projects that would be impacted. Director Burns will provide the information but added that no project that is safety-critical would be delayed. Chairman Vaughns also asked staff to clarify position substitutions and a discrepancy in numbers on page 80.

Julia Dawson, DPT Budget manager, presented the FY05 DPT budget. The DPT budget is in balance primarily due to an increase in the general fund transfer.

PUBLIC COMMENT:

David Pilpel stated that this is the worst budget process he's seen and thinks it represents a breach of faith with voters, riders and taxpayers. The level of information in the staff report is sketchy and doesn't explain the impacts of the proposed solutions. The budget needs more

analysis and public input.

Glenda Lavigne asked if the proposed service adjustments were in addition to the missing 3%. She wondered how we would meet service standards in the future if we're not meeting them at the moment. She also asked about the replacement of the leaseback funds and the layoffs.

Howard Strassner, Sierra Club, appreciates the information but suggests that the board implement a two-year budget to make the information more relevant. He is concerned about borrowing money from future years. The Board of Supervisors should be asked to raise the parking tax.

Jeremy Nelson, Transportation for a Livable City, would like the MTA to reduce dependence on cars. He doesn't support the service cuts but is glad to see that fare increases aren't on the table. He would like to have a chance to do a line-by-line analysis of the service adjustments and thinks that the public should have more time to give the board their input. He urged staff to look at other funding sources, such as increasing the parking tax, implementing a local gas tax and vehicle fee. Meter hours should also be extended.

Norman Rolfe echoed the concerns of other speakers. Muni is taking money from future budgets which may be even worse. Muni is "robbing Peter to pay Paul" and should look at increasing the parking tax.

Rafael Cabrera stated that service adjustments are service cuts. Muni can't violate Prop. E, and must provide service to San Francisco.

Director Burns noted that there will be a full public outreach process for the service adjustments. The board's vote on the budget next week won't be final as staff is trying to deal with too many unknowns. The board will have to make some tough decisions.

12. Public Hearing to consider the MTA's proposal to consider fee, fare and rate changes for the Municipal Railway and for the Department of Parking and Traffic.

Annette Williams, Manager, Accessible Services reviewed the Paratransit Coordinating Council's proposal. The paratransit community wants fare equity among modes which doesn't exist at the moment.

PUBLIC COMMENT:

Peggy Coster is opposed to the proposal as people on a fixed income haven't seen their income increase in ten years. This increase will take away independence for people and will isolate them. She doesn't think that fares should be raised until Muni runs on time.

Laurie Graham, Chair, PCC Executive Committee, stated that the PCC has worked hard to bring equity to paratransit fares in all modes. She urged the board to accept the proposed fare

structure. She appreciates the dedicated taxi-medallion holders who are providing good service to people with disabilities, adding that ramped taxi drivers have said that they couldn't meet their own expenses if it weren't for ramped taxi orders.

Bruce Oka, PCC member, noted that the PCC has have been talking about this fare equity issue for more than six years. They are concerned about people on SSI and all others that are on some kind of fixed income but Muni has an unequal fare structure that needs to be equitable. Please support the staff recommendation.

Cheryl Damico, Chairman of the PCC paratransit lift van group, stated that the committee has worked on this proposal for a long time. If approved, it will cost her more but she supports the measure. It's important to have fare equity within the system.

David Pilpel questioned whether the public hearing has been properly noticed and asked for an analysis of paratransit trips. He also asked if there were any other changes to the MTA fees, rate and fare structure.

Karen Young-Simmons is in support of the proposal.

DEPARTMENT OF PARKING AND TRAFFIC

13. Authorizing the Director to enact the following regulation governing the parking of vehicles in accordance with provisions of the San Francisco Traffic Code:

ESTABLISH - CONSULATE PARKING ONLY, AT ALL TIMES - Baker Street, east side, from 11 feet to 64 feet north of Green Street (53-foot zone). (Explanatory documents include a staff report and resolution.)

No public comment.

RESOLUTION 04-026

On motion to approve:

ADOPTED: AYES – Din, Flynn, Kasolas, McCray and Vaughns

ABSENT – Black and Casey

14. Authorizing the Director to execute an emergency interim service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles with TEGSCO/San Francisco Auto Return, on substantially the same terms applicable under the current contract for a term commencing in March 2004 and not to exceed one year, for the

purpose of maintaining continuity of service and protecting the public welfare while the City negotiates a long-term contract for these services. (Explanatory documents include a staff report, contract and resolution.)

This item was removed from the agenda at the request of staff.

MUNICIPAL RAILWAY

15. Authorizing the Director to execute Contract Amendment No. 4 to Contract CS-103, Professional Engineering Consultant Services to support MUNI Light Rail Vehicle Procurement, with Booz Allen & Hamilton Inc. for further consulting services through closeout of light rail vehicle replacement program; increasing the contract by \$1,500,978, for a total contract amount not to exceed \$17,223,332; and extending the term of the contract through December 31, 2007. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

No public comment.

RESOLUTION 04-027

On motion to approve:

ADOPTED: AYES – Din, Flynn, Kasolas, McCray and Vaughns

ABSENT – Black and Casey

16. Authorizing the award of Contract No. MR-1186, Cable Car Traffic Signal Preemption at California Street and Grant Avenue, to Millard Tong Construction Company for a total contract amount of \$329,848. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-028

On motion to approve:

ADOPTED: AYES – Din, Flynn, Kasolas, McCray and Vaughns

ABSENT – Black and Casey

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 6:15 p.m.

2. Roll Call

Present: Wil Din

H. Welton Flynn

Michael Kasolas

James McCray, Jr.

Cleopatra Vaughns

Absent: Shirley Breyer Black

Mike Casey

Also present: Michael T. Burns, Director of Transportation

Roberta Boomer, Board Secretary

Julia Friedlander, Deputy City Attorney

Karen Kirby, Deputy City Attorney

Mike Hursh, Deputy General Manager, Maintenance

Wilson Johnson, Deputy General Manager, Transportation

Bond Yee, Traffic Engineer

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Black, Casey-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Carmen Marcel-Almodovar, Superior Ct. #404422 filed on 2/13/02 for \$1,000,000

RESOLUTION 04-029

On motion to approve:

ADOPTED: AYES –Din, Flynn, Kasolas, McCray and Vaughns

ABSENT – Black and Casey

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:33 p.m.

17. Announcement of Closed Session.

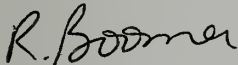
Chairman Vaughns announced the board met in closed session to discuss Marcel-Almodovar vs. CCSF with the city attorney. The board voted unanimously to settle the case.

18. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Black, Casey-absent).

ADJOURN - The meeting was adjourned at 6:35 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in cursive script, appearing to read "R. Boomer".

Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF SPECIAL MEETING AND CALENDAR

FRIDAY, FEBRUARY 27, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

SPECIAL MEETING
4:00 P.M.

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - SPECIAL MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Director's Report (for discussion only)
5. Citizen's Advisory Council Report
6. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ARE RECOMMENDED FOR ACTION AS STATED, BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE.

REGULAR CALENDAR

7. Public Hearing to consider the MTA's proposal to consider paratransit fare changes for the Municipal Railway.
8. Approving the Municipal Railway Department's FY2005 Operating Budget in the amount of \$475,945,655; approving the Department of Parking and Traffic's FY2005 Operating and Capital Budget in the amount of \$72,627,498; certifying that the FY2005 budgets are adequate to make substantial progress towards meeting the goals, objectives, and performance standards; approving labor savings including the possibility of reductions in the workforce; finding that the changes to paratransit fares are exempt from CEQA review; approving a new Muni paratransit passenger fare schedule to take effect on September 1, 2004; authorizing the director to discontinue service on the 3 or 4 line and the 7 line after completion of public hearings, environmental review and Board of Supervisors review; finding that proposed service discontinuations are subject to environmental review; approving the fare change request to waive fares on New Year's Eve 2004, authorizing the continuance of the Class Pass program; and authorizing the implementation of short-term experimental fares; authorizing the Director to execute an agreement with BART for use of the Fast Pass on BART in San Francisco; authorizing the Director to execute an agreement with BART for Muni to accept payment from BART for providing connecting bus service to BART stations; . (Explanatory documents include a staff report, resolution and attachments.) (Explanatory documents include a staff report and resolution.)
9. Authorizing the Director to execute an emergency interim service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles with TEGSCO/San Francisco Auto Return, on substantially the same terms applicable under the current contract for a term

commencing in March 2004, for the purpose of maintaining continuity of service and protecting the public welfare while the City negotiates a long-term contract for these services. (Explanatory documents include a staff report, contract and resolution.)

ADJOURN



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

FRIDAY, FEBRUARY 27, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

**SPECIAL MEETING
4:00 P.M.**

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BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
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Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

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ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:12 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Michael Kasolas
Cleopatra Vaughns

Absent: James McCray, Jr.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Director's Report (for discussion only)

The secretary announced that the Interim Tow Contract Agreement had been removed from the agenda at the request of staff.

The secretary also announced that Room 421 has been set up as an overflow room for the meeting. People who were in the overflow room would be given time to get to Room 400 if they want to address the board.

Director Burns stated that the interim tow contract is an emergency agreement that he has been hoping to get approved by the board prior to execution. Under the Administrative Code, the Chairman of the Board and he may sign an emergency contract but must bring it to the full board at the first opportunity thereafter. Directors Casey and Flynn expressed their opposition to waiving the city's minimum wage or health care ordinances. Director Burns noted that the item was pulled from the evening's agenda tonight because of those ordinances.

David Pilpel asked for an opportunity to comment about this item. Chairman Vaughns stated that it was off the agenda.

Director Burns introduced Commander Sylvia Harper as the new head of DPT's Enforcement

Division. Commander Harper has been with the San Francisco Police Department since 1976 and has received the Bronze Medal of Honor as well as numerous other commendations. She assumed responsibility for the Enforcement Division on February 23rd. Chairman Vaughns commended Commander Harper and offered the congratulations and support of the board. Commander Harper is honored to represent the department, noting that her father worked for Muni. She will use her close ties to the Police Department to bring the MTA and the SFPD closer together.

Director Burns reported that the J-line track work didn't occur as previously announced due to rain. The work will occur, weather permitting, over the next two weekends. Muni will provide substitute buses.

Over the weekend, Secretary Mineta toured the Third St. Project along with Mayor Newsom, Directors Din, Flynn and Kasolas and the FTA Regional Administrator, Leslie Rogers. The Secretary was pleased with the project.

5. Citizen's Advisory Council Report

CAC Chairman Dan Murphy council reviewed a number of budget recommendations made by the CAC at a recent meeting. The board has received a copy of these recommendations. He also urged approval of the paratransit fare proposal that had been previously endorsed by the CAC. Mr. Murphy also expressed appreciation on behalf of the CAC to the budget staff for their generosity with their time and for accommodating the CAC's meeting schedule. He also thanked the CAC's secretary, Vincent Dunlap. (Chairman Vaughns thanked Mr. Murphy for the recommendations. The comments will be provided to Mr. Burns for an appropriate response.)

6. Public Comment

David Pilpel has serious concerns about a difficult interaction he had with the board secretary and about being provided with public information in an appropriate manner. He would like the board to discuss the matter. (Director Flynn stated that it wouldn't be proper to discuss a personnel matter in this manner. Chairman Vaughns replied that she would speak to Mr. Pilpel after the board meeting.)

John Coll would like to discuss changes in services. He is concerned that the 7-Haight and the 4-Sutter are electric lines and will be replaced with diesel lines. As a life long asthma sufferer, he urged Muni to go electric pursuant to the 1970 controversy over removing electric bus lines on Market St.

Ernestine Weiss stated that operators don't want the right turn from Stockton onto Clay as it causes problems. There needs to be a timed light at Clay and Van Ness. Parking should be removed on Sacramento and Clay as people who live there have garages. She noted that parking should also be removed in the vicinity of Powell and Kearny.

Marianne Graycloud is a senior citizen with a heart disorder and arthritis. She is concerned that the proposed service cuts will mean that she will have to stand in the bus because the front seats won't be available for her to sit in. This means she will fall and injure herself.

Norm Rolfe is bothered by proposed changes as it is a reduction in the electric operation. Prop I will probably pass so Muni needs to look at implementing more electric lines rather than cutting them. It's time to revive the proposal to electrify the 71-Haight/Noriega.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ARE RECOMMENDED FOR ACTION AS STATED, BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE.

REGULAR CALENDAR

7. Public Hearing to consider the MTA's proposal to consider paratransit fare changes for the Municipal Railway.

8. Approving the Municipal Railway Department's FY2005 Operating Budget in the amount of \$475,945,655; approving the Department of Parking and Traffic's FY2005 Operating and Capital Budget in the amount of \$72,627,498; certifying that the FY2005 budgets are adequate to make substantial progress towards meeting the goals, objectives, and performance standards; approving labor savings including the possibility of reductions in the workforce; finding that the changes to paratransit fares are exempt from CEQA review; approving a new Muni paratransit passenger fare schedule to take effect on September 1, 2004; authorizing the director to discontinue service on the 3 or 4 line and the 7 line after completion of public hearings, environmental review and Board of Supervisors review; finding that proposed service discontinuations are subject to environmental review; approving the fare change request to waive fares on New Year's Eve 2004, authorizing the continuance of the Class Pass program; and authorizing the implementation of short-term experimental fares; authorizing the Director to execute an agreement with BART for use of the Fast Pass on BART in San Francisco; authorizing the Director to execute an agreement with BART for Muni to accept payment from BART for providing connecting bus service to BART stations; . (Explanatory documents include a staff report, resolution and attachments.) (Explanatory documents include a staff report and resolution.)

Items 7 and 8 were called together.

Michael T. Burns, Director of Transportation reviewed the MTA budget. DPT's budget is currently in balance. Both Muni and DPT's budgets include the assumption that employees will continue to contribute 7.5% toward their retirement programs, consistent with the city's current budget plans. The proposed service adjustments will be subject to a full public process and is subject to approval by the Board of Supervisors. This is a difficult time for Muni as well as other city departments and is extremely difficult for transit throughout the Bay Area. BART is looking at a deficit of over \$40 million and other transit agencies are looking at a 20-30% adjustment in service.

Alicia Fletcher, Muni Budget Manager, reviewed key assumptions in the budget including:

- A 17% increase in health care costs
- The Employer retirement contribution rate will be 4.5% as approved by the Retirement Board.
- Employees will continue to contribute 7.5% to their retirement
- No wage increases.
- This will be the last year of the economic downturn.

Ms. Fletcher added that there will be approximately 125 employees that will be laid off. Muni will be prioritizing external customer service and will focus the layoffs on professional, administrative and clerical staff. Staff has committed to working with the CAC for determining priorities for deferral of capital projects.

Peter Straus, Manager, Service Planning reviewed the proposal to adjust service. Ridership has declined 7.5% and the proposed cuts are less than 3% of Muni's total service. The Board is not being asked to make a final decision tonight. The proposal will return to the MTA board following public input.

Vice Chairman Kasolas asked staff to provide a regular report to the board on ridership changes and service adjustments.

Director Casey asked about the public process for the service adjustments. He anticipates that there will be a negative response and wondered if Muni had a fallback recommendation. Director Burns discussed the plan to seek input from the public. The criterion that Muni used for the proposed adjustments was ridership. The board or the feedback that Muni gets from the public might direct them to consider other factors.

Director Flynn asked staff to let the board know how many people come to the public meetings to hear about the service adjustments.

Director Casey asked for clarification about the assumption that there will be no wage increases. He asked staff to provide a recent history of TWU operator wages. He also asked about the \$2.5 million in savings that are to be achieved through negotiations. He understands the sensitivity of the situation but added that the board is being asked to pass a budget that includes labor savings without any explanation of what those savings entail. Director Burns stated that staff has an internal strategy but it's not appropriate to share it publicly as negotiations haven't yet started.

Chairman Vaughns noted that all unions had been informed about the budget hearing and were invited to attend two meetings that were held on January 30th and February 12th.

PUBLIC COMMENT:

Bruce Oka, PCC member and CAC member, urged the MTA Board to pass the paratransit fare adjustments as recommended by the PCC. This proposal is the result of over eight years of hard work.

Nobody wants to see increases, particularly for those who need low fares, however there needs to be fare equity. It hurts to raise fares and there will be an impact but there is also a safety net in place. This is a fair proposal.

William Sisk, TWU 250A, commented that while staff considers the plan to be service adjustments, TWU calls them cuts. There will be a public outcry over this plan as the riders have already started a petition. Prop. E called for reliable and safe service. If you cut the 5-Fulton owl service, nurses won't be able to go to work in the middle of the night. A majority of the targeted lines operate in minority neighborhoods. This plan burdens the public.

Rafael Cabrera stated that you can't balance the budget on the back of labor. The community should be told what's going on before any decision is made. People deserve quality service. He is willing to work in good faith. Service is already missing and now staff is proposing more cuts on top of what's already missing.

David Pilpel thinks that this process has not been good, as some information has only been revealed at the last minute. There has been no notice on the vehicles and the staff analysis is sketchy. There are no alternatives to the proposals. He doesn't understand how the board can certify that Muni will make progress on the service standards if the board hasn't seen the FY05 service standards. Muni is putting the budget on a credit card, which is a bad practice. The BART resolution should be a separate action and the environmental review process isn't complete.

Glenda Lavigne, Local 200 stated that last year staff assumed we'd pay 7.5%. Labor went to its' members and said it was important. Then management started to hire people and to give bonuses and raises. This budget is being balanced on labor. What happened to the suggestions she made last year? We're in the exact same place doing the exact same thing.

Sarita Britt noted that Training is already short staffed and shouldn't be cut. The Woods division is short 25 to 30 runs a day. Employees are not going to give back the 7.5% this year.

Peter Ehrlich, an F-line Operator thinks that by eliminating the 7 and 4 lines, Muni will be in violation of the judges order for the Bayview Associates. He added that the F-line along the Embarcadero is well patronized on the weekdays and is at "crush load" during the summer. Muni is already having problems at Green, Flynn, and Potrero due to missing equipment.

Pat Jackson, Business Rep, SEIU-790, stated that there is no agreement by 790 to give back the 7.5% retirement contribution. This budget is being balanced on the back of labor. It's not fair to ask people at the bottom of the pile to give back when management positions are still being filled.

Lawanna Preston, Staff Director, SEIU Local 790, stated that her members will not agree to give back the 7.5% for a second year, especially when people are hired who make over \$100,000. She represents janitors, and people who don't make \$35,000 who are getting nothing. This is dehumanizing, rude, and disrespectful. The law requires Muni to meet and confer in good faith. She requests that Muni meet with labor in good faith and not assume that there will be raises and benefits and that the lowest paid workers will give back. Don't take any action that will harm women, people of color and children.

Victor Grayson is an operator at Presidio Division where most of the proposed cuts will occur. Muni is supposed to be a happy family and be about trust. Last year, operators took two furlough days and gave up a general sign up. The big raise that happened right afterwards looked bad. As an option, staff should ask the downtown corridor to pay more, as they benefit the most.

Teri Lowe, Presidio Operator, started as an operator two years ago and is still not at full pay. She's a single parent who has been asked to give things up. She wants to provide safe service. She asks for a plan so she can buy a home for her family.

Jeremy Nelson, Transportation for a Liveable City, stated that he is glad to see that no fare increase has been proposed. A three percent cut in service isn't severe in the overall scheme but it's dramatic on the individual lines. He is opposed to the service cuts and has a list of 17 possible funding or revenue sources. The list includes increasing the commercial tax on parking, increasing public parking fees, eliminating free parking, extending hours and days of paid parking spaces, increasing fees and fines, and establishing a local gas tax and local license fee.

David Tornheim is outraged at the proposal to cut service. The 5-Fulton schedule hasn't changed at all in the ten years he has lived here. Service needs to be increased. Taxes need to be raised and cars parked on sidewalks should be ticketed. People count on the 5-Owl to get to work. He added that there was no outreach to the public about these cuts.

Janeen Castner represents Muni clerks and wants the board to listen to the operators as they speak with validity and with personal experience. Please recognize that the obligation to meet and confer is important. She is thankful for her seniority as a clerk but if Muni loses clerks, they will lose important infrastructure.

Lesley Bonnet rides the 2 or the 4 line to work and often watches a full bus pass her by. Please don't trust the numbers. If Muni's goal is to make every line as unpleasant as 38, Muni will lose ridership.

Robert Myers, Director, CYC Connections, thinks that service cuts aren't appropriate at this point as the buses are already crowded and people with disabilities can't get seats. These cuts will affect the indigent and homeless and people will lose jobs because the buses are late. If Muni hadn't misappropriated funds, this wouldn't be a problem. It's not fair to put the additional burden on labor. The pay of managers, directors and senior staff should be cut.

Griff Humphrey, PCC committee member, supports the paratransit equity proposal submitted to board. The increase in the lift van fare will increase his cost. People should pay approximately the same amount. The current fare structure is discriminatory.

Jean Ellis-Jones has been an operator for 24 years. The 14-Mission runs through the heart of the Mission. The other adjustments are a joke. Nobody has assessed the corridors, nobody has looked at how the community has upgraded and nobody has looked at service to the hospitals.

Ron Mitchell, JLMB, suggested that Muni must deal with scheduling in the right manner. He referred to a report that was written 54 years ago that said that runs weren't scheduled correctly back then. The same thing is still happening. Cutting lines isn't going to get people where they need to go. Transit should be promoted, not taken away.

Bill Sisk, TWU 250A stated that operators and hospital workers are taking the hits. Mayor Newsom said that people who make over \$100,000 should step up to the plate. He sees nobody in the room stepping up to the plate.

Darryl Davin is a Muni operator who stated that these changes aren't positive for everyone. There are people resting on their laurels while operators have to pass people by who are just trying to get to work. These cuts will affect the public and operators.

Chairman Vaughns closed public comment on items 7 and 8.

Director Casey proposed an amendment to the resolution that would require staff to return to the board for approval if there was a net change in the budget of one percent in revenues or expenditures rather than five percent. Director Burns noted that despite having authorization last year to approve up to a five percent change, he brought the budget back to the board for all changes. Director Burns is comfortable with the amendment as it's his intention to have an open process and to bring everything back to the board.

On the motion to amend the budget to require board approval if there is a net change of one percent in revenues or expenditures:

ADOPTED: AYES – Black, Casey, Din, Flynn, Kasolas, and Vaughns

ABSENT – McCray

Director Casey proposed a second amendment that would reinstate the 7.5% in employees' wages that were previously assumed to be applied to their retirement plan and that the Director of Transportation shall identify and incorporate savings of an equal amount from other areas of the budget which shall not result in layoffs or wage and benefit reductions of employees covered by a collective bargaining agreement.

Director Casey clarified his intent by adding that this amendment doesn't assume that employees will agree to give back the 7.5% retirement contribution as that item is yet to be negotiated. The Director of Transportation would have to find another \$12.5 million in the budget that doesn't result in layoffs or staff reductions. The total budget amount will not change.

Director Burns commented that if there was another \$12.5 million available in the budget that could be applied to the current 125 layoffs or service cuts, staff would have included that. Staff hasn't been able to identify other expense reductions or revenue increases beyond what's been proposed. If the amendment is approved, staff would have to take an additional \$12.5 million out of the service. These service cuts would be 2.5 times as large as the plan presented this evening, which would impact

Muni's customers substantially. Director Burns is not in position to recommend that course of action and the only other alternative is a fare increase.

Director Casey stated that out of a \$31.5 million deficit, \$19.5 million is against labor. This is a disproportionate burden that is being placed on the men and women that drive this system. We shouldn't assume that the \$12.5 million would mean service cuts as staff may find other avenues over the next few months. He has to believe that additional avenues can be found or this will come back to haunt us as it will make negotiations much more difficult. It will send the absolute wrong message to employees at a time when managers have had their wages increased. We need to think about the message.

Director Din is not comfortable with the proposed amendment as we already have six million on a credit card for next year and he doesn't want to increase that burden.

On the motion to amend the budget to reinstate the 7.5% employee contribution and find an additional \$12.5 million in cuts that would not result in layoffs or a reduction in wages or benefits:

AYES – Black and Casey

NAYES - Din, Flynn, Kasolas, and Vaughns

ABSENT – McCray

The motion failed adoption.

On the motion to approve the budget as amended:

RESOLUTION 04-030

On motion to approve:

ADOPTED: AYES – Din, Flynn, Kasolas, and Vaughns

NAYES – Black and Casey

ABSENT – McCray

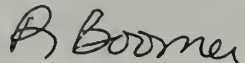
9. Authorizing the Director to execute an emergency interim service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles with TEGSCO/San Francisco Auto Return, on substantially the same terms applicable under the current contract for a term commencing in March 2004, for the purpose of maintaining continuity of service and protecting the public welfare while the City negotiates a long-term contract for these services. (Explanatory documents include a staff report, contract and resolution.)

This item was removed from the agenda at the request of staff.

David Pilpel asked for an opportunity to comment. Julia Friedlander, Deputy City Attorney advised the board that since no action was taken, they did not have to take public comment on the item. She added that the board secretary had announced that the item had been removed at the start of the meeting and that Mr. Pilpel did have an opportunity to address the board about this matter under Public Comment but did not avail himself of the opportunity.

ADJOURN - The meeting was adjourned at 7:24 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in black ink, appearing to read "R Boomer". The signature is written in a cursive, flowing style.

Roberta Boomer
Board Secretary



**Municipal Transportation Agency
Board of Directors
City and County of San Francisco**



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NOTICE OF CANCELLATION

TUESDAY, MARCH 2, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA.

THE BOARD MEETING SCHEDULED FOR TUESDAY,
MARCH 2, 2004 HAS BEEN CANCELLED.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, MARCH 16, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
 - February 17, 2004 Regular Meeting
 - February 27, 2004 Special Meeting
5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)
 - Special Recognition Award
 - Muni Quarterly Service Standards Report
 - DPT Quarterly Service Standards Report
 - Quarterly Report on Key Capital Projects
 - Clean Air Plan
 - Haight & Page Traffic Circles
 - Ongoing Activities
8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Allstate Insurance, Superior Ct. #420515, filed on 5/15/03 for \$919.69
- B. Allstate Insurance, Superior Ct. #CGC03422483, filed on 7/16/03 for \$1,739.92
- C. Linnette Oakley, Superior Ct. #411184 filed on 8/4/02 for \$3,500
- D. Pauline Sapp, Superior Ct. #323165 filed on 7/24/01 for \$3,500
- E. Marciano Bahllo Bravo Filho, Unlitigated Claim #0402081 filed on 3/28/03 for \$7509.12
- F. Rippe Properties, Unlitigated Claim #9401142 filed on 10/20/03 for \$9,192
- G. Paul Alvis, Superior Ct. #425262 filed on 10/0/03 for \$11,000
- H. Sabrina Cortez, Unlitigated Claim 0302874 filed on 2/28/03 for \$12,941.62
- I. Ronald Fong, Unlitigated Claim 0401195 filed on 10/23/03 for \$14,261.33
- J. Hanna Joan McAuliffe, Superior Ct. #307759 filed on 11/9/99 for \$25,000
- K. Jessica Miller & Amanda Ceja, Superior Ct. #413649 filed on 10/17/02 for \$25,568.20

(10.2) Approving the following traffic modifications:

- A. RESCIND TOW-AWAY, NO STOPPING 7 AM - 5 PM SCHOOL DAYS and ESTABLISH TOW-AWAY, NO STOPPING 7 AM - 6 PM SCHOOL DAYS - Washington Street, south side, between Stockton and Powell Streets
- B. ESTABLISH TOW-AWAY NO STOPPING ANYTIME - Monterey Boulevard, north side, at Circular Avenue, from the west end of the driveway of 66 Monterey Boulevard to the east end of the driveway of 76 Monterey Boulevard.
- C. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - 14th Avenue, both sides, between Anza Street and Geary Boulevard and Cabrillo Street, both sides, between 14th and 15th Avenues.
- D. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Church Street, both sides, between 26th and Cesar Chavez Streets.
- E. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - 20th Avenue, west side, between Ulloa and Vicente Streets.
- F. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Willow Street, south side, between Buchanan and Laguna Streets and 1200 and 1300 blocks of Buchanan Street, east side, between Larch Way and Willow Street. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the Director to accept and expend \$82,400 in federal Technical Study Grant funding for the FY2004 Short Range Transit Plan Interim Update and the FY2006 SRTP. (Explanatory documents include a staff report and resolution.) (MUNI)

(10.3) Authorizing the Director to issue a Request for Proposals for Contract No. CS-140: Construction Management Services for the Paratransit Debit Card System, to evaluate and select the highest-ranking proposer, and negotiate a contract with the selected proposer, for an amount not to exceed \$300,000, and term not to exceed five years. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

REGULAR CALENDAR

DEPARTMENT OF PARKING AND TRAFFIC

11. Authorizing the Director to execute an emergency interim service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles with TEGSCO/San Francisco Auto Return, on substantially the same terms applicable under the current contract for a term commencing in March 2004, for the purpose of maintaining continuity of service and protecting the public welfare while the City negotiates a long-term contract for these services. (Explanatory documents include a staff report, contract and resolution.)

MUNICIPAL RAILWAY

12. Authorizing the award of a contract to Sedgwick Claims Management Services for Workers' Compensation Third Party Claims Administration, in an amount not to exceed \$3.183 million per year for five years, with the option of three one-year extensions to be exercised at the sole discretion of the MTA. (Explanatory documents include a staff report, resolution and contract.)

13. Authorizing the Director to submit a supplemental appropriation to the Board of Supervisors for \$2,235,683 to fund contract oversight, completion and closeout costs; construction of an operator restroom; beautification of the subway vent and; maintenance costs from the Mission & Steuart Hotel project. (Explanatory documents include a staff report and resolution.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Approving a settlement with Electric Transit Inc. (ETI), whereby ETI will be relieved of its warranty, bonding, liquidated damages (including late deliveries and fleet defects), excess weight penalties, and other various obligations under Contract No. 888, and the City will be released from any claims that ETI (or its shareholders) might assert arising out of the Contract, in exchange for ETI undertaking a \$4,500,000 retrofit program, providing \$8,000,000 for Muni's use, providing Muni with \$3,000,000 for spare parts, \$50,000 for re-assembly of paint booths, rent payments on Pier 5 for five years, a guaranty from AAI Corporation of certain performance under this Settlement Agreement, furnishing parts, equipment, facilities, and technical support to Muni, and assigning all existing subcontractor and supplier warranties and other obligations to Muni.

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

14. Announcement of Closed Session.

15. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

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TUESDAY, MARCH 16, 2004
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REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 - SAN FRANCISCO-CA. 94102-4524

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ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:07 p.m.

2. Roll Call

Present: Mike Casey
Wil Din
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

Absent: Shirley Breyer Black
H. Welton Flynn

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

-On motion to approve the minutes of the February 17, 2004 Regular Meeting and the February 27, 2004 Special Meeting: unanimously approved (Black, Flynn-absent).

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

Director Din requested an update on the Kirkland Reuse Project.

7. Director's Report (For discussion only)

-Special Recognition Award
-Muni Quarterly Service Standards Report
-DPT Quarterly Service Standards Report
-Quarterly Report on Key Capital Projects

- Clean Air Plan
- Page St. Traffic Circles
- Ongoing Activities

Executive Director Burns is pleased to present the March Special Recognition Award to Dorothy Fields who staffs the front counter at Human Relations. Ms. Fields started her career as a transit operator in 1991. In her current position, she has consistently provided outstanding service to Muni employees. She goes out of her way to offer reliable and friendly service. Ms. Fields thanked everyone adding that the job is exactly what she wanted and is where she needs to be as she loves to help people. Chairman Vaughns extended her appreciation on behalf of the board.

APTA recently held it's annual Legislative Conference in Washington, D.C. Directors Vaughns and Kasolas attended the conference on behalf of the MTA. Other city representatives included Supervisors Ammiano and Dufty. Meetings were held with Congressman Pelosi, Senator Boxer and the staff of Senator Feinstein to discuss federal priorities, including the continuation of funding for Third Street as a top priority.

Over the next weekend, anti-war demonstrations are being planned. This will require rerouting of buses and the deployment of PCO's to manage traffic.

Muni has arranged for a number of public meetings to discuss the proposed service adjustments. A notice about these meetings has been posted on buses and on-line. Staff will gather sign-in sheets, collect comments and suggestions made by the public and will report back to the board in April. The MTA budget was submitted on time to the Mayor and Board of Supervisors.

Notice to Proceed was issued for the Metro East project. Because of the contracting method that will be used for this project, approximately 60 subcontracts will be coming forward to the board within the next 90 days.

Chairman Vaughns asked staff to include information about Muni's outreach efforts when they present the Geary Transit Improvement Project.

Fred Stephens, Muni General Manager, presented the Quarterly Service Standards Report for the quarter ending Dec. 31, 2003. The on-time performance goal was 82% but Muni achieved 68%. Recent data on this measure shows improvement and Muni is currently at 71.5%. Staff doesn't expect to meet the 85% on-time performance goal by July 1. While Muni has put much time and energy into this goal, it has taken longer than expected to achieve it.

Chairman Vaughns expressed her appreciation to Mr. Stephens, Hursh and Johnson for the tour. She noted that while Muni has come a long way in four years, it needs to come together as an organization to either meet the 85% goal or say that it's unrealistic. Fred Stephens knows that staff is very concerned about the goal and that given the complexity of Muni's system, modes and schedules, they are making progress. Chairman Vaughns asked staff to look at it more pointedly as 68% is unacceptable.

Director McCray asked staff to report back to the board about why people aren't passing probation. He asked for information about the residency of these employees as well.

Director McCray also inquired about on-time performance on weekends. He consistently hears from people that they can't get to church on time. General Manager Stephens said that he would look into it.

Director Kasolas asked staff to include information about what was actually achieved in addition to the goal for prior years for future Service Standard reports. He asked for information about the on-time performance of other transit properties. G.M. Stephens said he would provide the information.

Gerry Norman, Deputy Director, Department of Parking & Traffic presented the DPT quarterly Service Standards. Staff will present a report to the board about the Citations division once it is complete.

Exec. Director Burns announced that on March 2, Prop I was passed by voters. Jose Cisneros, Deputy Director, External Affairs and Marty Mellara, Assistant Electrical Engineer, presented Muni's Clean Air Plan. The key point is to have a zero emission fleet by 2020 by using fuel cell and battery powered buses in the fleet. With the purchase of 375 low emission diesel buses and installation of particulate matter traps on older buses, Muni has reduced emissions by 88% between 1997 and 2003. Muni has the lowest emissions per passenger rate in the state. Muni plans to maximize the use of zero emission vehicles and incorporate the use of hybrid buses. The California Air Resources Board is considering changes to their regulations. Muni has always been in full compliance with state and federal mandates. Some of the Prop I deadlines are more aggressive than what Muni can achieve. Prop. I includes replacing the reserve fleet, but doesn't identify any funds to accomplish that task. Muni is looking at how to address that issue.

Exec. Director Burns commented that the Controller estimates the cost will be \$20 million over and above the standard bus replacement program. The timeframe outlined in Prop. I doesn't coincide with federal timeframes. Muni hopes that Prop. I's passage will bring people together to focus on the common goal of finding funding sources and lobbying for appropriate legislative changes. Muni isn't saying that they can't meet the schedule but the timeframes are extremely ambitious as there is no money identified to replace the reserve buses.

Bridget Smith, Manager, Liveable Streets Program and Manito Velasco, Traffic Calming Program Manager presented the Page St. Traffic Circle Project. This project has created much controversy and staff is moving the project into the end of the trial phase. The residents in the neighborhood have been asked to vote on the issue. Pending the outcome of the vote, and input received from other city departments such as the Fire and Police departments, staff will evaluate the viability of installing permanent traffic circles.

8. Citizen's Advisory Council Report

Dan Murphy, CAC Chairman noted that the CAC had neglected to thank Peter Straus for walking them through the proposed service adjustments. The CAC has also met with Nelson Nygard on their draft audit of the MTA's Service Standards. The CAC feels strongly about the 85% on-time performance standard as it is unlike other standards. This one is imposed by city charter and is not subject to change, unless by a vote of the people. BC Transit in Vancouver has more stringent standards. The CAC has recommendations regarding the Geary Improvement Project, and thinks it is a terrific program to improve transit for a small amount of money. It's an excellent example of thinking about affordable programs that can have a large impact. They support the Clean Air plan in concept. It's the best possible plan that exists given the constraints and is the most responsible plan possible. The CAC endorses changing the CARB NOx emission standard as certifying the hybrid bus is essential. Muni should conduct a marketing campaign asking riders to take their trash with them and car cleaners should be put at major terminals. The speed of resolving Passenger Service Reports is important but the total number of PSR's received doesn't correspond to rider satisfaction. DPT should incorporate the Transit First policy into their mission statement. Annual pedestrian accident and fatality reports should be part of DPT's service standards as well as response time for driveway tows. (Chairman Vaughns thanked Mr. Murphy for the valuable information.)

9. Public Comment

Stephanie Sellai, GCA Strategies, pointed out that the Page St. Traffic Circles are very controversial. The Fire Department is against them and they have received many letters from residents who are opposed. Neighborhood associations are also opposed as well as the Mayor's Disability Council. Bridget Smith has recommended against the project and, since grant funds have run out, the project should be reconsidered.

Jens Raduschewski lives on Fillmore and Hayes where the noise of the 22-Fillmore buses is excessive and louder than most car alarms. Something has to be done. He recognizes the need to assist people with disabilities but neighbors are subjected to beeping every 10 minutes, 24 hours per day. He will discuss this further with Mike Hursh, the Deputy G.M., Maintenance.

Barry Taranto wonders why LRV on-time performance is so poor when LRV's have a dedicated right of way. The board needs to get a quarterly report on citations so they know how PCO's are focusing their efforts. A task force should be created to settle the rift between PCO's and cab drivers. Muni buses are taking over the cabstand on 4th and Townsend. They should stage their buses at another location. Ricardo Villea should receive a special award for diligently removing signs on Mission St.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Allstate Insurance, Superior Ct. #420515, filed on 5/15/03 for \$919.69
- B. Allstate Insurance, Superior Ct. #CGC03422483, filed on 7/16/03 for \$1,739.92
- C. Linnette Oakley, Superior Ct. #411184 filed on 8/4/02 for \$3,500
- D. Pauline Sapp, Superior Ct. #323165 filed on 7/24/01 for \$3,500
- E. Marciano Bahlio Bravo Filho, Unlitigated Claim #0402081 filed on 3/28/03 for \$7509.12
- F. Rippe Properties, Unlitigated Claim #9401142 filed on 10/20/03 for \$9,192
- G. Paul Alvis, Superior Ct. #425262 filed on 10/0/03 for \$11,000
- H. Sabrina Cortez, Unlitigated Claim 0302874 filed on 2/28/03 for \$12,941.62
- I. Ronald Fong, Unlitigated Claim 0401195 filed on 10/23/03 for \$14,261.33
- J. Hanna Joan McAuliffe, Superior Ct. #307759 filed on 11/9/99 for \$25,000
- K. Jessica Miller & Amanda Ceja, Superior Ct. #413649 filed on 10/17/02 for \$25,568.20

RESOLUTION 04-031

(10.2) Approving the following traffic modifications:

- A. RESCIND TOW-AWAY, NO STOPPING 7 AM - 5 PM SCHOOL DAYS and ESTABLISH TOW-AWAY, NO STOPPING 7 AM - 6 PM SCHOOL DAYS - Washington Street, south side, between Stockton and Powell Streets
- B. ESTABLISH TOW-AWAY NO STOPPING ANYTIME - Monterey Boulevard, north side, at Circular Avenue, from the west end of the driveway of 66 Monterey Boulevard to the east end of the driveway of 76 Monterey Boulevard.
- C. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - 14th Avenue, both sides, between Anza Street and Geary Boulevard and Cabrillo Street, both sides, between 14th and 15th Avenues.
- D. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Church Street, both sides, between 26th and Cesar Chavez Streets.
- E. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - 20th Avenue, west side, between Ulloa and Vicente Streets.
- F. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Willow Street, south side, between Buchanan and Laguna Streets and 1200 and 1300 blocks of Buchanan Street,

east side, between Larch Way and Willow Street. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-032

(10.3) Authorizing the Director to accept and expend \$82,400 in federal Technical Study Grant funding for the FY2004 Short Range Transit Plan Interim Update and the FY2006 SRTP. (Explanatory documents include a staff report and resolution.) (MUNI)

RESOLUTION 04-033

(10.4) Authorizing the Director to issue a Request for Proposals for Contract No. CS-140: Construction Management Services for the Paratransit Debit Card System, to evaluate and select the highest-ranking proposer, and negotiate a contract with the selected proposer, for an amount not to exceed \$300,000, and term not to exceed five years. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

RESOLUTION 04-034

No public comment.

On motion to approve:

ADOPTED: AYES –Casey, Din, Kasolas, McCray and Vaughns

ABSENT – Black and Flynn,

REGULAR CALENDAR

DEPARTMENT OF PARKING AND TRAFFIC

11. Authorizing the Director to execute an emergency interim service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles with TEGSCO/San Francisco Auto Return, on substantially the same terms applicable under the current contract for a term commencing in March 2004, for the purpose of maintaining continuity of service and protecting the public welfare while the City negotiates a long-term contract for these services. (Explanatory documents include a staff report, contract and resolution.)

PUBLIC COMMENT:

Mark Gleason, Teamsters Local 6, thanked the Board for their concern about the workers. They have achieved recognition and look forward to moving forward.

Chairman Vaughns stated that the Chairman and the Director of Transportation have authorized the execution of this agreement pursuant to the City's emergency provisions. The action before

the board is to ratify the execution of the interim agreement.

Director Casey asked for information about the number of workers that will be impacted by the waiver and for how long. Gerry Norman, DPT deputy director, replied that the waiver applies to the subcontractors who are mostly current subcontractors with City Tow. The waiver will last for the duration of the temporary contract, which is expected to terminate in 60 to 90 days. The long-term contract clearly calls for the full compliance of the MCO and health benefits.

Jim Ruben, Attorney for Tegsco/AutoReturn, commented that they have been asked to step up to fill in a hole. They haven't had a chance to survey each of City Tow's subcontractors as negotiations for the long-term contract and for the transition plan have been happening "round the clock".

Director Casey made a motion to amend the resolution to stipulate that the waiver of these provisions would be in place for not longer than 60 days. Director McCray seconded the motion.

Julia Friedlander, Deputy City Attorney stated that the contract has already been executed. If the board adopted the amendment, it would require a contract modification. Adoption of a contract modification would be presented to the board at a future meeting. Because the contract has been fully executed, AutoReturn would have to agree with the amendment.

Exec. Director Burns commented that AutoReturn will be stepping into City Tow's shoes in five days, and will be responsible for all towing in the city. This interim contract is the best way to continue with the current arrangement while negotiating a long-term contract. If Director Casey's amendment is adopted, at the end of the 60 days, if the long-term contract hasn't been fully adopted, we will have a serious problem. It's in everybody's interest to move this contract quickly.

On motion to amend the resolution to provide a waiver for not longer than 60 days:

AYES – Casey, McCray

NAYES – Kasolas, Din, Vaughns

ABSENT: Black and Flynn

The amendment failed adoption.

RESOLUTION 04-035

On motion to ratify:

ADOPTED: AYES – Din, Kasolas, McCray and Vaughns

NAYES - Casey

ABSENT – Black and Flynn

MUNICIPAL RAILWAY

12. Authorizing the award of a contract to Sedgwick Claims Management Services for Workers' Compensation Third Party Claims Administration, in an amount not to exceed \$3.183 million per year for five years, with the option of three one-year extensions to be exercised at the sole discretion of the MTA. (Explanatory documents include a staff report, resolution and contract.)

PUBLIC COMMENT:

William Rutland, representing Intercare, the service provider for the past two years, is concerned about their reputation. They have consistently provided a quality product yet received the lowest score in the process. They are entitled to know why they weren't selected.

Kevin Hamm, Intercare, requested a debriefing as they were told by staff that they would receive it. Throughout the past two years, they were told they were doing an excellent job. They understand the competitive bid requirement, but this is strange. Prices went up substantially because of the inclusion of additional services in the RFP such as rehabilitation counselor. Even with that increase they are still \$600,000 less than the Sedgwick proposal.

Exec. Director Burns noted that there have been a few non-substantive and non-material changes to the contract, all favorable to the MTA. If the board approves this item, these changes will be made to the contract. Intercare did step into a situation two years ago on short notice and has performed well under the contract. This award is simply a matter of the competition required of any public entity. Staff will meet with Intercare to provide the requested information.

Director Casey suggested that unions and other employee organizations be included in the process of selecting a vendor in cases where employees are the end users of the product. In addition, a survey should be conducted among employees to determine if the care they received was acceptable. He is concerned about changing a contract without involving the workers through their union.

Exec. Director Burns commented that the suggestion has merit. Staff does hold regular joint labor management meetings to discuss employee issues. The City Charter obligates the MTA to use the competitive bid process.

RESOLUTION 04-036

On motion to approve:

ADOPTED: AYES – Casey, Din, Kasolas, McCray and Vaughns

ABSENT – Black and Flynn

13. Authorizing the Director to submit a supplemental appropriation to the Board of Supervisors for \$2,235,683 to fund contract oversight, completion and closeout costs; construction of an operator restroom; beautification of the subway vent and; maintenance costs from the Mission & Steuart Hotel project. (Explanatory documents include a staff report and resolution.)

Glenda Lavigne, Local 200 is unsure about the oversight of these funds. She wonders if we really need to beautify a vent when we're laying off people.

Norman Rolfe reminded the board that abandoning this sight as a terminal exposed Muni to additional expenses. Another big item caused by the hotel construction is the cost of the noise isolation of the track slab. Muni should recover these and other operational costs.

Exec. Director Burns reminded the board that this is a request for authorization for a supplemental appropriation as part of the project. All of these funds are coming from the developer in accordance with the agreement. To expend these funds, Muni needs appropriation authorization. The developer is paying for all costs associated with the hotel and these are not funds that are coming out of Muni's operating budget.

RESOLUTION 04-037

On motion to approve:

ADOPTED: AYES – Din, Kasolas, McCray and Vaughns

RECUSED - Casey

ABSENT - Black and Flynn

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 7:03 p.m.

2. Roll Call

Present: Mike Casey
Wil Din
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

Absent: Shirley Breyer Black
H. Welton Flynn

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Fred Stephens, General Manager
Mike Hursh, Deputy General Manager, Maintenance
Kerstin Magary, Senior Project Manager
Mike Chinn, Senior Operations Manager
Robin Reitzes, Deputy City Attorney

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Black, Flynn, McCray-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

The board secretary noted that the board was meeting with counsel to discuss anticipated litigation.

(4.1) Approving a settlement with Electric Transit Inc. (ETI), whereby ETI will be relieved of its warranty, bonding, liquidated damages (including late deliveries and fleet defects), excess weight penalties, and other various obligations under Contract No. 888, and the City will be released from any claims that ETI (or its shareholders) might assert arising out of the Contract, in exchange for ETI undertaking a \$4,500,000 retrofit program, providing \$8,000,000 for Muni's use, providing Muni with \$3,000,000 for spare parts, \$50,000 for re-assembly of paint booths, rent payments on Pier 15 for five years, a guaranty from AAI Corporation of certain performance under this Settlement Agreement, furnishing parts, equipment, facilities, and technical support to Muni, and assigning all existing subcontractor and supplier warranties and other obligations to Muni.

RESOLUTION 04-038

On motion to approve:

ADOPTED: AYES – Casey, Kasolas, McCray and Vaughns

NAYES – Din

ABSENT - Black and Flynn

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 7:35 p.m.

14. Announcement of Closed Session.

Chairman Vaughns announced the board met in closed session to discuss the ETI settlement with the city attorney. The board voted to settle the case by a 4 to 1 vote with Director Din opposed. (Black, Flynn-absent).

15. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Black, Flynn-absent).

ADJOURN - The meeting was adjourned at 7:38 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, APRIL 6, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-March 16, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)

- Special Recognition Award
- Geary Transit Improvement Project
- Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Kenneth E. Niemi, Superior Ct. #418428, filed on 3/17/03 for \$5,500
- B. Pamela Newman, Superior Ct. #409578, filed on 6/26/02 for \$8,017.15
- C. Robert Silvas, Superior Ct. #419691, filed on 4/23/03 for \$23,000
- D. Lana and Thomas Andrews, Superior Ct. #411826, filed on 8/23/02 for \$24,900
- E. Carol Haney, Superior Ct. #CGC03423320 filed on 8/11/03 for \$50,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH TOW-AWAY, NO STOPPING ANYTIME - La Salle Avenue, north side, along the bulb-out across from the entrance to Osceola Lane; La Salle Avenue, north side, along the bulb-out at the entrance to Gloria R. Davis School; La Salle Avenue, south side, along the western bulb-out curb return at the closed-off portion of Osceola Lane; La Salle Avenue, south side, along the western and eastern bulb-out curb returns at Whitfield Lane and La Salle Avenue, north side, along the bulb-out contiguous to Ingalls Street.
- B. ESTABLISH TOW-AWAY, NO PARKING ANYTIME - Treat Avenue, between the driveways of 1609 and 1615 Treat Avenue.
- C. ESTABLISH PERPENDICULAR (90-DEGREE ANGLE) PARKING - Treat Avenue, west side, from the southern limit of the 1602 Treat Avenue curb cut to the southern terminus of Treat Avenue.
- D. ESTABLISH TRANSIT AND TAXIS ONLY ON EVENT DAYS AT CANDLESTICK PARK - Ingerson Avenue, between Giant's Drive and Hawes Street; Giant's Drive, south of Ingerson Avenue (Candlestick Park Bus Loop Roadway).
- E. ESTABLISH TOW-AWAY, NO STOPPING ANYTIME - 164 Lucky Street, west side, from 171 feet to 198 feet north of 26th Street (27-foot zone)
- F. RESCIND NO PARKING ANYTIME - 167 Lucky Street, east side, between the north and south property lines.
- G. RESCIND NO PARKING, 6 PM TO 8 PM, EXCEPT SATURDAY AND SUNDAY - Harrison Street, west side, from 15th Street to 180 feet northerly.
- H. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - Stanyan St, both sides, between 17th St. and Belgrave Ave.; Stanyan St., both sides, between 17th and Rivoli St.
- I. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - Hickory Street, south side, between Gough and Octavia Streets; Lily Street, both sides, between Gough and Octavia Streets
- J. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - 23rd Street, both sides, between Carolina and DeHaro Sts.
- K. ESTABLISH UNMETERED MOTORCYCLE PARKING - Baker Street, east side, between the driveways of #420 and #430 Baker Street.
- L. ESTABLISH UNMETERED MOTORCYCLE PARKING - 620-624 6th Avenue, east side, from 129 feet to 134 feet south of Balboa Street

- M. ESTABLISH ANGLE (60-DEGREE ANGLE) PARKING - Randolph Street, north side, from 72 feet west of Arch Street to 115 feet west of Arch Street.
- N. RESCIND TOW-AWAY, NO STOPPING ANYTIME and ESTABLISH UNMETERED MOTORCYCLE PARKING - Kaplan Lane, east side, from Clementina Street to the northern terminus.
- O. ESTABLISH TOW-AWAY, NO PARKING ANYTIME -Opposite Frontage of 1351-1355 De Haro Street.
- P. ESTABLISH NO PARKING ANYTIME - Panama Street, both sides, west of Niantic Avenue to the terminus
- Q. RESCIND NO PARKING ANYTIME 9 AM to 2 PM, EXCEPT SUNDAYS and ESTABLISH NO PARKING ANYTIME, 8 AM TO 4 PM, SCHOOL DAYS - Phelan Avenue, west side, between Flood and Staples Avenues.
- R. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Montecito Avenue, south side, from Plymouth Avenue to Hazelwood Avenue
- S. RESCIND 2 HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2 HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Hazelwood Avenue, east side, from Staples Avenue to Judson Avenue.
- T. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Greenwood Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.
- U. RESCIND 2-HOUR PARKING, 7 AM TO 6 PM, EVERYDAY and ESTABLISH 2-HOUR PARKING, 7 AM TO 6 PM, SCHOOL DAYS - Colon Avenue, both sides, from Greenwood Avenue to Terminus
- V. RESCIND TWO HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY and ESTABLISH RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - Chesley Street, east side, between Harrison Street and southern terminus.
- W. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "U " (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - 1126 - 1130 Harrison Street, north side, between 7th and 8th Streets; 1161 - 1161A Harrison Street and 1163 - 1165 Harrison Street, south side, between 7th and 8th Streets.
- X. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Valdez Avenue, east side, from Monterey Boulevard to Greenwood Avenue
- Y. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SATURDAYS AND SUNDAYS; RESCIND PARKING HOURS, 8 AM TO 4 PM, SUNDAYS AND HOLIDAYS EXCEPTED and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Hazelwood Ave., east side, from Monterey Blvd. to Staples Ave. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the Director to accept and expend \$39,165,244 in federal Section 5307 and CMAQ capital assistance for the following projects: Motor Coach Replacement-Alt Fuel;Cable Car Infrastructure Rehabilitation; Paratransit Van/Debit Card; MUNI Rail Replacement; Paratransit Assistance; Overhead Lines Reconstruction; Wayside Fare Collection Equipment;

Motor Coach Replacement; Preventive Maintenance; LRV Procurement; Cable Car Vehicle Rehabilitation; Geneva Historic Car Enclosure; Motor Coach Clean Air Device Retrofit; Motor Coach Rehabilitation. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.4) Authorizing the Director to accept and expend \$534,401 of Carl Moyer grant funds for Muni's Bus Catalyst Device Procurement project. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.5) Authorizing the Director to enter into contract negotiations with ThyssenKrupp Elevator Company for an elevator maintenance agreement for full-service elevator maintenance and repair at Church & Castro Streets Stations in the Muni-Metro System. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.6) Accepting Contract No. MR-1192, L-Line Track Replacement Emergency Project – 15th & Taraval and 15th & Ulloa and authorizing the closeout of this contract. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.7) Recommending that the Board of Supervisors approve the Controller's determination that it is more economical to contract for janitorial services for the City's metered parking lots and shop facilities than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and certification.) (PA)

(10.8) Recommending that the Board of Supervisors concur with the Controller's determination that it is more economical to contract for a Parking Citation Processing and Collection System than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and certification.) (DPT)

(10.9) Recommends that the Board of Supervisors concur with the Controller's certification that it is more economical to contract for a parking meter management system including collection and coin counting services, than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and certification.) (DPT)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Public hearing to consider proposed service adjustments, including termination of service and schedule and route changes, for the Municipal Railway on lines 1, 2, 3, 4, 5, 6, 7, 9, 9X, 9AX, 9BX, 12, 14, 15, 16AX, 16BX, 21, 26, 29, 30, 33, 38, 41, 54, 66, 67, 71, 71L, 82X and F. (Explanatory documents include a staff report, and resolution.)

12. Public hearing to consider a declaration of fiscal emergency for the Municipal Railway in compliance with the California Environmental Quality Act. (Explanatory documents include a staff report, and resolution.)

13. Consideration of Modification No. 2 to Contract No. MR-1147 Third Street Light Rail Transit Platform Finishes and Special Systems regarding subcontractor substitution. The MTA Board of Directors will take testimony on and will consider adopting only one of the following two motions. (Explanatory documents include a staff report and resolution.)

(13.1) Approving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which substitutes Lewis M. Merlo, Inc. for Bay Area Concretes, and denies the objections of Bay Area Concretes

(13.2) Disapproving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which substitutes Lewis M. Merlo, Inc. for Bay Area Concretes, and upholds the objections of Bay Area Concretes.

14. Urging the Board of Supervisors to adopt a Resolution of Necessity and to authorize and direct the City Attorney to commence eminent domain proceedings against Caltrans for portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, located directly west of 1301 Cesar Chavez Street, for the construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility for Muni's new low-emission vehicles. (Explanatory documents include a staff report, resolution and financial plan.)

DEPARTMENT OF PARKING AND TRAFFIC

15. Authorizes the award of Department of Public Works Contract No. 0780J(R), SFgo Initial Phase Portions A & B to Edward W. Scott Electric Company, as the lowest responsive and responsible bidder for a total contract amount of \$2,905,371. (Explanatory documents include a staff report, resolution and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 for Valerie Taybron and Trinna Davis, USDC Case #C994660 EDL, filed on 10/20/99

5. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant As plaintiff

(5.1) Authorizing the Director to execute a Structured Negotiations Agreement with the California Council of the Blind and its members; the Rose Resnick Lighthouse for the Blind and Visually Impaired, Damien Pickering, and a class of persons who are blind or visually impaired and who allege that they have been denied safe and/or equal access due to the lack of adequate accessible pedestrian signals.

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

16. Announcement of Closed Session.

17. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, APRIL 6, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:02 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
H. Welton Flynn
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

Chairman Vaughns deviated from the agenda by announcing with regret that Chairman Emeritus H. Welton Flynn had submitted his resignation, effective at the end of the meeting. Chairman Vaughns presented a proclamation on behalf of the MTA Board of Directors that recognizes and honors Director Flynn for over thirty years of public service.

Director Flynn responded with thanks and a capsule of his tenure on the board and noted that although the Charter was created in 1932, it wasn't until 1970 that an African American was appointed to a commission. He has served every mayor but Jordan since 1970 and is the longest serving commissioner in history. He has always tried to level the playing field for women and minorities. He acknowledged Chairman Vaughns' experience and expressed his confidence in her ability and capacity to chair the Board of Directors.

Steve Kawa, Chief of Staff for Mayor Newsom offered thanks on behalf of Mayor Newsom, Mayor Brown and Senator Dianne Feinstein. Reading from a letter from the Senator, he called Director Flynn a "city institution" who has been instrumental in making San Francisco a successful, vibrant and innovative town. On behalf of Mayor Newsom, he presented a proclamation, which declares April 6, 2004, H. Welton Flynn day.

Johnny Carter, on behalf of Senator John Burton presented a proclamation to Director Flynn. On a personal note, he added that he and other minorities couldn't have achieved what without Director Flynn's groundbreaking work.

4. Approval of Minutes

On motion to approve the minutes of the March 16, 2004 Regular Meeting: unanimously approved.

5. Communications

The Board Secretary announced that Item 13, substitution of a subcontractor for the Third Street Light Rail Transit Platform Finishes and Special Systems contract has been continued to the meeting of April 20th.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director's Report

- Special Recognition Award
- Geary Transit Improvement Project
- Ongoing Activities

Exec. Director Burns is pleased to present this month's Special Recognition Award to Tangie Burleson, a Muni Transit Instructor whose job performance is extraordinary. She handles training with skill and confidence and she is an exceptional asset. Ms. Burleson is honored and pleased to receive the recognition and loves her job.

Exec. Director Burns reviewed this year's plans to provide service to the SBC Ballpark.

As part of the FY2005 budget process, the Mayor requested that departments eliminate vacant positions. MUNI and DPT identified 39 positions that are vacant and which are not expected to be filled during FY2005. None of these positions were funded in FY2004 and they were deleted in the FY2005 budget approved by the MTA Board. Other departments also identified positions, for a total of 190 vacant positions. The Board of Supervisors is expected to amend the Annual Salary Ordinance on April 13th and delete these 190 positions.

On March 21, Auto Return assumed responsibility for the towing of cars from City Tow. The transition was smooth, with much credit going to DPT staff. Staff continues to work on the long-term contract, with the goal of bringing the contract before the Board in June.

Suany Chough gave an overview of the Geary Transit Improvement Project for Geary and O'Farrell, east of Van Ness. Much of the work can be done before the end of 2004. This joint

Muni/DPT project takes advantage of DPW's repaving work and is funded by the Transportation Authority. Information about the project has been on buses and was sent to residents.

Chairman Vaughns requested staff to synthesize the comments they receive from the public for the board. Director Din asked about outreach to the Southeast Asian community, as they are difficult to reach. He suggested that the information should be translated into other languages and asked for a roster of the Geary Corridor CAC members.

8. Citizen's Advisory Council Report

Dan Murphy, Chairman, CAC, has several recommendations but first wanted to thank Chairman Emeritus Flynn for his dedication and service. The CAC is divided on the proposed service adjustments and they will conduct hearings on possible new revenue sources. He also offered several recommendations about sidewalk parking complaints, the Residential Parking Permit program, and the citation of double-parked cars. (Chairman Vaughns expressed her appreciation on behalf of the Board.)

9. Public Comment

John Friedlander offered his greetings, adding that he hasn't been to DPT meetings in years.

Barry Taranto thanked Director Flynn for his service. He also thanked staff for getting the buses out of the CalTrain cabstand. He also thanked Sylvia Harper, as her transfer to DPT is a huge asset. He had a wonderful conversation with her about improving the relationship between PCO's and cabdrivers. Staff should present the Geary Transit plan to cab drivers. Legal parking should be enforced.

David Pilpel disagrees with Exec. Director Burns as he thinks the FY04 vacancies should be presented to the MTA Board as it changes this year's budget. He noted that implementation of the sales tax measure is underway. A while back he expressed concerns about the board secretary. He discussed the matter with Chairman Vaughns, and since that time, he has had several productive conversations with the secretary. He also thanked former Chairman Flynn for his service.

Ohocion Ingram is a legally blind resident who cannot disembark safely at 6th & Clement in the evening on weekends because cars are completely blocking the stop. It's a dangerous situation and needs to be addressed.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Kenneth E. Niemi, Superior Ct. #418428, filed on 3/17/03 for \$5,500
- B. Pamela Newman, Superior Ct. #409578, filed on 6/26/02 for \$8,017.15
- C. Robert Silvas, Superior Ct. #419691, filed on 4/23/03 for \$23,000
- D. Lana and Thomas Andrews, Superior Ct. #411826, filed on 8/23/02 for \$24,900
- E. Carol Haney, Superior Ct. #CGC03423320 filed on 8/11/03 for \$50,000

RESOLUTION 04-039

(10.2) Approving the following traffic modifications:

- A. ESTABLISH TOW-AWAY, NO STOPPING ANYTIME - La Salle Avenue, north side, along the bulb-out across from the entrance to Osceola Lane; La Salle Avenue, north side, along the bulb-out at the entrance to Gloria R. Davis School; La Salle Avenue, south side, along the western bulb-out curb return at the closed-off portion of Osceola Lane; La Salle Avenue, south side, along the western and eastern bulb-out curb returns at Whitfield Lane and La Salle Avenue, north side, along the bulb-out contiguous to Ingalls Street.
- B. ESTABLISH TOW-AWAY, NO PARKING ANYTIME - Treat Avenue, between the driveways of 1609 and 1615 Treat Avenue.
- C. ESTABLISH PERPENDICULAR (90-DEGREE ANGLE) PARKING - Treat Avenue, west side, from the southern limit of the 1602 Treat Avenue curb cut to the southern terminus of Treat Avenue.
- D. ESTABLISH TRANSIT AND TAXIS ONLY ON EVENT DAYS AT CANDLESTICK PARK - Ingerson Avenue, between Giant's Drive and Hawes Street; Giant's Drive, south of Ingerson Avenue (Candlestick Park Bus Loop Roadway).
- E. ESTABLISH TOW-AWAY, NO STOPPING ANYTIME - 164 Lucky Street, west side, from 171 feet to 198 feet north of 26th Street (27-foot zone)
- F. RESCIND NO PARKING ANYTIME - 167 Lucky Street, east side, between the north and south property lines.
- G. RESCIND NO PARKING, 6 PM TO 8 PM, EXCEPT SATURDAY AND SUNDAY - Harrison Street, west side, from 15th Street to 180 feet northerly.
- H. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "J"(2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - Stanyan St, both sides, between 17th St. and Belgrave Ave.; Stanyan St., both sides, between 17th and Rivoli St.

- I. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - Hickory Street, south side, between Gough and Octavia Streets; Lily Street, both sides, between Gough and Octavia Streets
- J. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - 23rd Street, both sides, between Carolina and DeHaro Sts.
- K. ESTABLISH UNMETERED MOTORCYCLE PARKING - Baker Street, east side, between the driveways of #420 and #430 Baker Street.
- L. ESTABLISH UNMETERED MOTORCYCLE PARKING - 620-624 6th Avenue, east side, from 129 feet to 134 feet south of Balboa Street
- M. ESTABLISH ANGLE (60-DEGREE ANGLE) PARKING - Randolph Street, north side, from 72 feet west of Arch Street to 115 feet west of Arch Street.
- N. RESCIND TOW-AWAY, NO STOPPING ANYTIME and ESTABLISH UNMETERED MOTORCYCLE PARKING - Kaplan Lane, east side, from Clementina Street to the northern terminus.
- O. ESTABLISH TOW-AWAY, NO PARKING ANYTIME -Opposite Frontage of 1351-1355 De Haro Street.
- P. ESTABLISH NO PARKING ANYTIME - Panama Street, both sides, west of Niantic Avenue to the terminus
- Q. RESCIND NO PARKING ANYTIME 9 AM to 2 PM, EXCEPT SUNDAYS and ESTABLISH NO PARKING ANYTIME, 8 AM TO 4 PM, SCHOOL DAYS - Phelan Avenue, west side, between Flood and Staples Avenues.
- R. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Montecito Avenue, south side, from Plymouth Avenue to Hazelwood Avenue
- S. RESCIND 2 HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2 HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Hazelwood Avenue, east side, from Staples Avenue to Judson Avenue.
- T. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Greenwood Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.
- U. RESCIND 2-HOUR PARKING, 7 AM TO 6 PM, EVERYDAY and ESTABLISH 2-HOUR PARKING, 7 AM TO 6 PM, SCHOOL DAYS - Colon Avenue, both sides, from Greenwood Avenue to Terminus
- V. RESCIND TWO HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY and ESTABLISH RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - Chesley Street, east side, between Harrison Street and southern terminus.
- W. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "U " (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - 1126 - 1130 Harrison Street, north side, between 7th and 8th Streets; 1161 - 1161A Harrison Street and 1163 - 1165 Harrison Street, south side, between 7th and 8th Streets.
- X. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS and ESTABLISH

2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Valdez Avenue, east side, from Monterey Boulevard to Greenwood Avenue

- Y. RESCIND 2-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SATURDAYS AND SUNDAYS; RESCIND PARKING HOURS, 8 AM TO 4 PM, SUNDAYS AND HOLIDAYS EXCEPTED and ESTABLISH 2-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - Hazelwood Ave., east side, from Monterey Blvd. to Staples Ave. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-040

(10.3) Authorizing the Director to accept and expend \$39,165,244 in federal Section 5307 and CMAQ capital assistance for the following projects: Motor Coach Replacement-Alt Fuel; Cable Car Infrastructure Rehabilitation; Paratransit Van/Debit Card; MUNI Rail Replacement; Paratransit Assistance; Overhead Lines Reconstruction; Wayside Fare Collection Equipment; Motor Coach Replacement; Preventive Maintenance; LRV Procurement; Cable Car Vehicle Rehabilitation; Geneva Historic Car Enclosure; Motor Coach Clean Air Device Retrofit; Motor Coach Rehabilitation. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-041

(10.4) Authorizing the Director to accept and expend \$534,401 of Carl Moyer grant funds for Muni's Bus Catalyst Device Procurement project. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-042

(10.5) Authorizing the Director to enter into contract negotiations with ThyssenKrupp Elevator Company for an elevator maintenance agreement for full-service elevator maintenance and repair at Church & Castro Streets Stations in the Muni-Metro System. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-043

(10.6) Accepting Contract No. MR-1192, L-Line Track Replacement Emergency Project – 15th & Taraval and 15th & Ulloa and authorizing the closeout of this contract. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

RESOLUTION 04-044

(10.7) Recommending that the Board of Supervisors approve the Controller's determination that it is more economical to contract for janitorial services for the City's metered parking lots and shop facilities than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and certification.) (PA)

RESOLUTION 04-045

(10.8) Recommending that the Board of Supervisors concur with the Controller's determination that it is more economical to contract for a Parking Citation Processing and Collection System than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and certification.) (DPT)

RESOLUTION 04-046

(10.9) Recommends that the Board of Supervisors concur with the Controller's certification that it is more economical to contract for a parking meter management system including collection and coin counting services, than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and certification.) (DPT)

RESOLUTION 04-047

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Black, Din, Flynn, McCray and Vaughns

ABSENT - Casey and Kasolas

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Public hearing to consider proposed service adjustments, including termination of service and schedule and route changes, for the Municipal Railway on lines 1, 2, 3, 4, 5, 6, 7, 9, 9X, 9AX, 9BX, 12, 14, 15, 16AX, 16BX, 21, 26, 29, 30, 33, 38, 41, 54, 66, 67, 71, 71L, 82X and F. (Explanatory documents include a staff report, and resolution.)

Executive Director Burns wishes that the MTA were in a position to recommend service increases but the budget realities don't allow for that. These adjustments have been presented to the public through a series of meetings. As a result staff recommends a few changes; Alternative B for 2, 3, 4 is now the recommended alternative. Staff also recommends Alternative A for the 26-Valencia, with no change to the 54 and minor route revisions for the 29-Sunset and the 67-Bernal Heights. Staff will consider the input from this public hearing and may modify their recommended adjustments.

Chairman Vaughns stated that the board has received an enormous amount of correspondence from the public. She asked staff to be very conscientious when talking to the public, as there is

much confusion about the staff recommendation. Muni needs to put more effort into their public outreach so the staff proposal is better understood.

PUBLIC COMMENT:

Ojocion Ingram is concerned about reductions to the 1-California line as she works nights and sometimes has to wait more than an hour. The message this proposal sends to the public is “don’t go anywhere because you can’t get home”. The 1-line provides poor service on Saturday during the afternoon and evening.

Michael Larson stated that riders need all the lines. People who are disabled or who don’t hear need access to public transportation. The 1-California is an important line for people who work the graveyard shift. The Geary Bus Rapid Transit plan will be a great benefit.

Ellen Murray is a 19-year operator on the 22-line. There are a great number of residents and operators who are opposed to these cuts. She is opposed to them and she doesn’t agree that the budget realities require layoffs and service reductions. Staff should go after the Transit Impact Development Fee. Increased pension and medical costs for operators are not the cause of the deficit. Muni should adjust their bond payment.

Robert Foster, Pier 39, is concerned about the possible elimination of F-line shuttle service during the week. This cut will tarnish the reputation of the F-line. As the peak visitor period approaches, the F-line is one of busiest lines in the city, and reduced service will have a negative impact on waterfront business.

Paul Wermer, representing the Pacific Heights Residents Association, spoke about the proposal for the 2, 3, and 4 lines. PHRA opposes Option B as it is an electric line and offers a diagonal route through the city. Extending the 12-Folsom means extending a diesel line, which is in opposition to the voters’ message this past election. It doesn’t provide the service that the 3-Jackson does. Transferring to other buses to get to the same location will double the commute time. Staff should look at extending the 2-Clement or providing a short loop to address the issues. He rides off-peak on packed buses. Peak loads on this line aren’t during commute hours.

Bill Evans rides many Muni lines and often sees disabled people and seniors disagreeing over the front seats. People are packed into the buses and are at risk for contagion. Cutting back on service might violate the federal mandates for accessibility. The operators do a good job as Muni Ambassadors.

Rafael Cabrera, Exec VP, 250A has attended three public meetings. The notice for those meetings wasn’t timely. People want more service not less and these cuts might violate the Transit First Policy. The focus should be on what the riders need. If the 5-owl is cut, passengers will have to walk three or four blocks at night in the dark. That isn’t a safe situation. Buses are packed and staff should find another way to solve the deficit.

Bill Sisk, President 250A thanked Director Flynn for his hard work. Everyone recognizes the outcry from San Francisco citizens. Don't make these cuts as buses will be packed and it will be hard on the operators.

Rick Laubscher, Market St. Railway, values their relationship with Muni but is speaking out against the proposed reduction in the F-line. The F-line has been gaining riders and drawing people out of polluting vehicles. This plan is poorly conceived as the F-line brings business and economic growth to Fisherman's Wharf. They produce a higher percent of cash fares than every line except the Cable Cars.

Jean Kelly has lived on the 3-Jackson route for many years. It's been a quiet route, which if it is replaced with diesel, will not be acceptable, as it will bring in noise and pollution to the neighborhood. She uses the line to commute to Union Square to work every day. It's not fair to increase the fare last September and then cut service. To save money, Muni could run it less frequently in the evening, as it's not full then.

Christian Wignal lives on Jackson St. and is a frequent rider and cyclist. He opposes the extension of the 12 as it doesn't go where the 3 goes. Replacing the 3 with diesel service adds insult to injury. He and his neighbors have to listen to a cavalcade of buses from other lines, starting at 4:20 in the morning every day, as those buses use the 3 route to get to and from their division.

Herbert Weiner isn't surprised that Muni is back asking for more. The door was opened to these cuts when the fares were raised last year. They'll ask for more next year. Muni is a schoolyard bully and should increase taxes from corporations who should be paying their fair share. Incompetent managers should be fired. These proposals suggest a hatred and contempt of the riding public.

Anita Denz lives in Pacific Heights and doesn't own a car. She uses the 3-Jackson. Buses that run after 10:30 p.m. have very few passengers and can be reduced to twice an hour. The suggestion to replace the 3 with the 12 puts fear into her heart, as they are stinky, smelly, noisy buses. She offered a plea to not put diesel on that line. It's against the community's wishes.

Susan Bryan lives in the Tenderloin and uses public transit a lot. Little Saigon will be losing a stop at Larkin and O'Farrell. Why can't there be a public campaign to encourage ridership. Downtown should step up to the plate as their employees are delivered right to their doorstep.

Meredith Heuer stated that buses are packed. This proposal doesn't affect the city as whole but only a certain class of people. If you reduce service, people will have no choice. This isn't a logical move. Reducing service means a reduced number of passengers and reduced revenue.

Peter Ehrlich commented that these cuts violate the court order from the Bayview Associates case. Muni has been ordered to increase electrification. Cutting the 26-Valencia to Glen Park will violate ADA law because the J-line isn't accessible at that location. These cutbacks should

be reconsidered.

Katerine Roberts thinks that cars are the least attractive alternative and is outraged by these proposals. Muni should be helping people to get around more rather than considering cuts. She has a disabled pass and is forced to go up steps and inclines because cars are parked illegally on the sidewalk. She has been ticketed three times for not having her pass and thinks that if she's getting ticketed, illegally parked cars should also be ticketed. Go after illegally parked cars first.

David Tornheim, Central City Progressives, has an issue about the notification of Muni's proposal. More honesty is needed, as these aren't adjustments. They are cuts. He is distressed to see these cuts after last year's fare increase. Muni needs to first work on good transit and frequent service. The 5-line schedule hasn't changed in 10 years. Muni's budget has increased. With a bigger budget, he can't see why there will be less service.

Art Michel is concerned about the F-line as it is one of Muni's greatest successes in recent years. There aren't enough cars to meet current demand. The shuttles could carry more people if they were scheduled differently. Muni has led people to believe they have good transit but it's hard to believe it if you're left standing on a corner.

Guy Danilowitz is an hourly-wage worker who has given up two hours of wages to address the board. He is scared that Muni staff and board members have lost connection with what riders need. He's frustrated with being lied to. He attended the South of Market Community meeting and only 5 minutes were spent on explaining the cuts. If staff is trying to pass that off as a "community meeting", it wasn't. They were told that this was an emergency and that the "deal was already done". This is insulting. The 38-local is standing room only as is the 5-Fulton. He urged the Board to reconsider the plan.

Ann Arora supports the proposal to reroute the #2-Clement off Euclid and over to California St. Over 100 people have signed a petition in support of this proposal. Ridership on Euclid is low and poses a safety risk to families with children. Moving the line to California St. is more conducive to shopping and gives better access to the hospital.

David Varnum called the cuts "bad public policy" as streets are choked with cars. This plan will drive more people into cars. To deal with the deficit, staff should consider raise towing rates, parking fees, a downtown transit assessment district, and a tax on commuters who park in Golden Gate Park. The MTA should ask the Board of Supervisors and Mayor to pursue some of these taxes. Reducing service on the 5-Fulton is counterproductive as buses are far and few between. Cutting the F-line shuttles is like killing the goose that lays the golden egg.

David Pilpel presented his thoughts in writing. He highlighted the need for additional analysis on ridership and on environmental impacts, particularly air quality. The board should be concerned that the public doesn't have access to all the information. This proposal needs to be examined carefully.

Walter Johnson commented that the proposed service “adjustments” are just a fancy name for cuts. Eliminating lines is detrimental to the quality of life in the city and many lines are already overcrowded. He suggests that the MTA develop a budget plan that serves riders and recognizes the contribution of the operators. Cuts should begin at the top. Operators deserve to be thanked for working under pressure and tension.

Jeremy Nelson, Policy Director, Transportation for a Liveable City, stated that his members oppose the service cuts. The board should have been given the chance to weigh service priorities, including no cuts. Staff should examine other ways to raise revenues such as increasing public parking prices and revisiting the cost of Residential Parking Permits. They should be set at market rates. Enforcement should be expanded and improved and repeat violators should be aggressively pursued. Other sources of revenue include a gas tax, vehicle license fee, and expanding the TIDF.

Donna Gates presented a few ideas to increase revenue. The number one suggestion is to get more advertisements from the business sector. Big corporations could buy fast passes for workers. BART and Muni should merge similar to Atlanta’s system. She is opposed to the cuts.

James Smith thinks that staff needs to adjust their way of thinking. Board members work for big businesses and are attacking workers with these cuts. Muni riders and the public should unite to oppose these cuts. If they go through, there will be trouble on the street.

Sara Hossaini moved from South Dakota 2 years ago and rides the 5 and 21 every day. It’s packed to capacity during rush hours. The 5-owl passes the University of San Francisco and is ridden by single women at night. It’s important to having safe and frequent transportation in the evening. Eliminating service will increase pollution because people will use their cars.

Cristina Moreno, Haight Ashbury Neighborhood Council (HANC), works with low-income families. She is opposed to the budget cuts, especially on the 7, 66, and 6 lines. These cuts impact tourist areas and parking and traffic in the Haight is horrific. Other ways to address fiscal issues should be created. Cutting the 5-owl will put women at risk. The information about this plan should have been provided in more than one language.

John Conklin, a transit operator at the Green division, wondered why the public announcement wasn’t put up earlier. He only saw the announcement last week. Muni should ask the police to enforce the diamond lanes. He asked about cuts in the pay and bonuses for top management.

Timothy O’Shea, Jordan Park Improvement Association, understands the challenge of balancing the need for quality of life vs. revenue. He thanked planning staff for rerouting the #2 from Euclid to California. This move matches their neighborhood’s need for quality of life while maintaining and increasing service on California St.

Robert Carr strongly supports rerouting the #2 from Euclid to California. The Jordan Park neighbors don't use the buses and rerouting them to California St. will be more efficient.

Virgil Herndon, TWU 250A retiree, stated that senior citizens would be very impacted by these cuts if enacted. Most seniors don't even know about the cuts. He suggested getting money from downtown buildings, the gay marriage proposal and by raising the parking tax. He suggested more tickets be given for people who block buses. Find the money elsewhere but don't cut the bus lines.

Helen Fung thanked Chairman Vaughns for acknowledging that people didn't have sufficient notice about the meetings. She asked the board to find a way to get around the cuts and elimination of service. She has raised a family in San Francisco and depends on Muni for transportation. If the 3-Jackson is cut, she will have to walk 6-8 blocks uphill to get home. There are two schools in the neighborhood on the 3-Jackson line with over 1000 students and faculty. The 12-line won't help people who transfer from BART.

Michael Benardo is opposed to the cuts as they are not in the best interests of the city. Cutting electric and adding motor coaches is stupid because we get electricity for free. People will be angry and will take cars instead. He suggested eliminating the 71-Haight and restoring the 47 trolley service. Repainting the vehicles is a waste of money and we shouldn't buy vehicles from overseas.

Jean Ellis-Jones, Potrero Division, noted that the 33-line is a great line that runs from one end of town to the other and serves more than four hospitals. It doesn't make sense to terminate it at 16th & Potrero because the distance you have to drive to turn it around would add four blocks so it might as well run the remaining few blocks of the existing service. The public is already screaming and hollering. They deserve good service.

Toshiro Yamamoto totally depends on Muni to go to work and school, and to take his seven-year old son to school. These cuts will affect his life badly. He hopes Muni will continue to provide good service. Find a way to keep existing service.

Nina Eloesser asked the board to please keep the 3-Jackson and the 4-Sutter. Eliminating the 4 isn't nearly as serious as keeping the 3 as the 4 overlaps practically the entire route of the 2. The 3 serves the area along Pacific, Jackson, Washington, Clay from Divisadero and isn't duplicated. People who live there will be stranded without the 3-line. Extra transfers will add 10-15 minutes per transfer. More evening service is needed.

Josh Berkus requested additional data because the staff analysis doesn't add up. A mere 25% increase in 71 service won't begin to replace the loss of the 7-Haight bus. Cutting eight 7-Haight buses and only adding 1 to the 71 line will mean that buses will be 117% of capacity. The numbers don't work. Don't cut the 7 and 66 lines.

Pi Ra, HANC board member, stated that Muni is struggling to meet the on-time reliability goal in Prop. E. Automobile use has become more significant in the Richmond, Castro, and Haight neighborhoods. The definition of "full capacity" needs to be expanded because people stop riding because the buses are packed. Muni needs to hire an independent auditor because the statistics they're using aren't correct. Using street inspectors appropriately will reduce bunching. One is needed at Masonic and Haight where many lines cross. Staff should look at alternative revenue measures.

Flip Sarrow, Haight Ashbury Merchants Association, stated that the merchants aren't happy with the plan to eliminate the 7-Haight. The livelihood of these merchants depends on good public transit. The Haight is congested, has restricted parking and is full of pedestrians and eliminating this line isn't a good idea. Prop. I requires Muni to reduce diesel buses, but eliminating the 7 does the opposite. Using articulated buses on the 71 line will create more problems. Muni's goal should be to increase ridership.

Meg Kingsland supports rerouting the 2-Clement off Euclid and onto California as it will increase ridership. Buses on Euclid pose a safety hazard for children.

Norm Rolfe said the MTA should go to the Board of Supervisors about raising the parking tax and increasing funds. The Supervisors should expedite the plan to expand the TIDF. The MTA Board can increase the monthly rates at city-owned garages immediately. They should be raised to market rates.

Jen Inaldo lives in the Panhandle and works downtown. She rides many of the lines that are proposed to be cut. The bus she took to get to this meeting was full and had to pass by two stops where people were waiting to board. She moved to San Francisco because of its good public transit. It doesn't make sense to change service in any way.

Andrew Sullivan, Rescue Muni, thanked Peter Straus for meeting with them. There are some countermeasures that Muni needs to pursue immediately. There are revenue measures that everyone needs to push. It's not a good idea to raise fares, as nobody is in support. Rescue Muni strongly supports finding other sources of revenue such as raising the parking tax and TIDF and expanding parking enforcement. DPT should hire more Parking Control Officers. Expanding the use of electrification is crucial, and Muni should start with the 71 line. Lastly, Rescue Muni appreciates the dedication and hard work of Director Flynn.

Stephen Gildersleeve came to the meeting on the 71-line. The bus was well over the capacity of 63 people. There are a disproportionate number of cuts proposed for Hayes Valley, the Haight, and NoPan. Many cuts will impact the N-Judah, which is a potential disaster. It's difficult for the average rider to grasp the implication of these cuts. Muni should submit themselves to an independent audit.

Chairman Vaughns continued the hearing to the meeting of April 20, 2004.

12. Public hearing to consider a declaration of fiscal emergency for the Municipal Railway in compliance with the California Environmental Quality Act. (Explanatory documents include a staff report, and resolution.)

Exec. Director Burns stated that in developing the operating budget for FY05, staff identified a shortfall of nearly \$32 million. Last year's budget shortfall was \$60 million. Staff has taken a number of measures to close the gap. To declare a fiscal emergency, an analysis must be completed. The purpose of this hearing is to hear from the public. Staff will respond before the April 20th meeting, at which, the board will be asked to declare a fiscal emergency.

PUBLIC COMMENT:

David Tornheim, Central City Progressives, was unaware of the hearing until this morning, which shows a lack of notification and communication. He doesn't understand why there's a fiscal emergency as revenues have increased over the past three years. He demands a full environmental impact study on these service cuts. He also wants to know why Muni was opposed to Prop I and continues to spend money on capital projects. He called the staff analysis unrealistic.

Jeremy Nelson stated that to the extent that there is a fiscal crisis, it is one of Muni's own making. The Board has the authority and responsibility to identify revenue enhancements for next year. If the board doesn't act now, we'll be back here in a year with the same problem. The board should play a big role in supporting enhanced revenues.

Chairman Vaughns closed the public hearing.

13. Consideration of Modification No. 2 to Contract No. MR-1147 Third Street Light Rail Transit Platform Finishes and Special Systems regarding subcontractor substitution. The MTA Board of Directors will take testimony on and will consider adopting only one of the following two motions. (Explanatory documents include a staff report and resolution.)

(13.1) Approving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which substitutes Lewis M. Merlo, Inc. for Bay Area Concretes, and denies the objections of Bay Area Concretes

(13.2) Disapproving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which substitutes Lewis M. Merlo, Inc. for Bay Area Concretes, and upholds the objections of Bay Area Concretes.

This item was continued to the meeting of April 20, 2004.

14. Urging the Board of Supervisors to adopt a Resolution of Necessity and to authorize and direct the City Attorney to commence eminent domain proceedings against Caltrans for portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382,

located directly west of 1301 Cesar Chavez Street, for the construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility for Muni's new low-emission vehicles. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-048

On motion to approve:

ADOPTED: AYES – Black, Din, Flynn, McCray and Vaughns

ABSENT - Casey and Kasolas

DEPARTMENT OF PARKING AND TRAFFIC

15. Authorizes the award of Department of Public Works Contract No. 0780J(R), SFgo Initial Phase Portions A & B to Edward W. Scott Electric Company, as the lowest responsive and responsible bidder for a total contract amount of \$2,905,371. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-049

On motion to approve:

ADOPTED: AYES – Black, Din, Flynn, McCray and Vaughns

ABSENT - Casey and Kasolas

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 7:20 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
H. Welton Flynn

James McCray, Jr.
Cleopatra Vaughns

Absent: Mike Casey
Michael Kasolas

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Fred Stephens, General Manager, Muni
Larry Williams, Deputy General Manager, Human Resources
Mike Hursh, Deputy General Manager, Maintenance
Wilson Johnson, Deputy General Manager, Transportation
Gerald Norman, Deputy Director, Parking & Traffic
Bond Yee, Traffic Engineer
Jonathan Rolnick, Deputy City Attorney

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Casey, Kasolas-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 for Valerie Taybron and Trinna Davis, USDC Case #C994660 EDL, filed on 10/20/99

RESOLUTION 04-050

On motion to approve:

ADOPTED: AYES – Black, Din, Flynn, McCray and Vaughns

ABSENT - Casey and Kasolas

5. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss and take action on

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

X As defendant _____ As plaintiff

(5.1) Authorizing the Director to execute a Structured Negotiations Agreement with the California Council of the Blind and its members; the Rose Resnick Lighthouse for the Blind and Visually Impaired, Damien Pickering, and a class of persons who are blind or visually impaired and who allege that they have been denied safe and/or equal access due to the lack of adequate accessible pedestrian signals.

RESOLUTION 04-051

On motion to approve:

ADOPTED: AYES – Black, Din, Flynn and Vaughns

ABSENT – McCray, Casey and Kasolas

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 7:48 p.m.

16. Announcement of Closed Session.

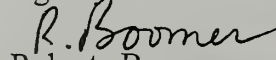
Chairman Vaughns announced the board met in closed session to discuss the Taybron/Davis case and the Agreement with the California Council of the Blind, etc. al. with the city attorney. The board voted unanimously to settle the Taybron/Davis case (Casey, Kasolas – absent) and to authorize the execution of the agreement with the California Council of the Blind (Casey, Kasolas and McCray-absent).

17. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Casey, Kasolas, McCray-absent).

ADJOURN - The meeting was adjourned at 7:52 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.


Roberta Boomer
Board Secretary



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

DOCUMENTS DEPT.

TUESDAY, APRIL 20, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

APR 15 2004

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REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 - SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-April 6, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)

-Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Farmers Insurance, Superior Ct. #04427910 filed on 1/9/04 for \$1,200
- B. Youcef Benhaddad, Superior Ct. #427378 filed on 6/20/03 for 7,500
- C. Joseph Sandoval, Unlitigated Claim #0489493, filed on 2/24/04 for \$12,000
- D. Keith Addy, Superior Ct. #412598 filed on 9/16/02 for \$75,000

(10.2) Authorizing the Director to execute and file appropriate Transportation Development Act, State Transit Assistance, and Assembly Bill 1107 applications with the Metropolitan Transportation Commission of an allocation of TDA, STA, and AB1107 funds in Fiscal Year 2004-2005. (Explanatory documents include a staff report and resolution.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Declaring a fiscal emergency caused by the failure of agency revenues to adequately fund agency programs and facilities for FY2005 pursuant to the California Public Resources Code section 21080.32 and California Environmental Quality Act Implementing Guidelines; and finding that the reduction or elimination of the availability of existing transit service are statutorily exempt from CEQA review. (Explanatory documents include a staff report and resolution.)

12. Public hearing to consider proposed service adjustments, including termination of service and schedule and route changes, for the Municipal Railway on lines 1, 2, 3, 4, 5, 6, 7, 9, 9X, 9AX, 9BX, 12, 14, 15, 16AX, 16BX, 21, 26, 29, 30, 33, 38, 41, 54, 66, 67, 71, 71L, 82X and F.

(This item was continued from the April 6 meeting.)

13. Authorizing the Director to implement Municipal Railway service adjustments, including rerouting, reducing or terminating service on certain lines and to assess the feasibility for expanded use of electric trolley coaches. (Explanatory documents include a staff report and resolution.)

14. Consideration of Modification No. 2 to Contract No. MR-1147 Third Street Light Rail Transit Platform Finishes and Special Systems regarding subcontractor substitution. The MTA Board of Directors will take testimony on and will consider adopting only one of the following two motions. (Explanatory documents include a staff report and resolution.)

(14.1) Approving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which would substitute Lewis M. Merlo, Inc. for Bay Area Concretes, and denying the objection of Bay Area Concretes

(14.2) Disapproving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which would substitute Lewis M. Merlo, Inc. for Bay Area Concretes, and upholding the objection of Bay Area Concretes.

(This item was continued from the meeting of April 6, 2004).

DEPARTMENT OF PARKING AND TRAFFIC

15. Approving revised parking rates at the North Beach Garage and the Vallejo Street Garage including an evenings-only, restricted monthly rate; a promotional evening rate on Sunday through Thursday for one year; and discontinuing the current special Sundays and holiday daytime rate. (Explanatory documents include a staff report, resolution and proposed rates.)

16. Approving the Japan Center Garage Corporation's Fiscal Year 2004-2005 budget, marketing plan and capital improvement requests and the Japantown Task Force's budget. (Explanatory documents include a staff report, resolution and financial plan.)

17. Approving the City of San Francisco Ellis-O'Farrell Parking Corporation Fiscal Year 2004-2005 budget and the capital improvement requests. (Explanatory documents include a staff report, resolution and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

- (4.1) Edward W. Scott Electric, Napa County Superior Ct. #2621061 filed on 1/23/02 for \$2,411,245.

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

18. Announcement of Closed Session.
19. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, APRIL 20, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

DOCUMENTS DEPT.

APR 29 2004

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CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
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BOARD SECRETARY

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☎ (415) 554-6896 FAX (415) 554-4143



ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:04 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the April 6, 2004 Regular Meeting as corrected: unanimously approved. (McCray-absent)

5. Communications

The Board Secretary announced that Item 15, Revising rates for the North Beach and Vallejo garages, was removed from the agenda at the request of staff. Because the item was noticed in the paper, there may be some members of the public in the audience who wish to address the Board. Chairman Vaughns will ask for comment when the board reaches that item on the agenda.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director's Report (For discussion only)

-Ongoing Activities

The Transportation Authority has approved its allocation for Muni, which was held up pending the completion of their audit. Much of the allocation is for the Third Street Project and Phase II, the

new central subway. Muni is currently working with the TA to adopt a revised Third Street budget and preparing Muni's FY2005 funding request.

DPT has initiated a signal upgrade project on Geary between Masonic and 10th Avenue involving the complete reconstruction and upgrade of twelve existing signalized intersections (including improved signal visibility and pedestrian countdown signals) and the addition of two new signalized intersections. Prop B funds these improvements.

Another project on Geary is also going forward at this time. A traffic signal timing priority system is being implemented for the 38-Geary. Federal funds and Prop. B monies are being used. New pedestrian countdown signals are being installed along Geary Boulevard at 16th, 18th, 21st, 24th, 27th, 29th, and 32nd and at the intersection of Point Lobos and 48th.

Muni has developed a ComMUNity Artists Initiative to support local artists in San Francisco. The first phase of this project will be our Rolling Galleries, which will consist of turning the unsold ad space of 64 bus interiors into rolling art galleries. Muni's partner in this project, the Academy of Art University, has covered all of the production costs, and will be featuring the project in its Main Gallery at 79 New Montgomery through May 15th. This project doesn't impact advertising revenues. The space used is allocated to us within our existing contract.

Exec. Director Burns announced that DPT has concluded its community ballot process. Over 37% of the neighboring residents responded. None of the circle locations received the majority needed to proceed. As a result of this and concerns expressed by the Fire Department, pedestrian safety and disability organizations, DPT has issued a work order to remove the circles and reinstall all stop signs. This project was a positive learning experience for the department and reinforces our commitment to achieving consensus prior to proceeding. A traffic circle was recently approved for installation by local residents and the Fire Department at St. Mary's Park in Bernal Heights as part of a traffic-calming plan.

Director Kasolas asked Mr. Burns to share the citywide traffic calming studies with the Board.

Director Black thanked Exec. Director Burns for providing a children's tour of the Cable Car Barn during the SEIU conference.

8. Citizen's Advisory Council Report

There was no report.

9. Public Comment

Gene Pepi has questions about the 3rd St. Project. He feels that the local hiring of Bayview residents hasn't been sufficient and needs to be increased. The construction has closed sidewalks, causing many stores and restaurants to close. Is there a program to compensate these owners for the loss? Will there be a program to train and hire local residents as vehicle operators, maintenance workers, supervisors, and administrative staff?

William Oberhofer stated that some stations don't have any employees working at them. He sees people boarding who aren't paying, especially at night. Muni is losing money. There's been an increase in graffiti on the platforms, which is a big disturbance.

Barry Taranto said the cabstand on 2nd St. at the ballpark is a major problem. Recently there was an unmarked police car parked in the stand. If you don't enforce the cabstand, then what's the use of having it? This needs to be worked out. Thousands of dollars are lost every day by not ticketing double parkers in commercial districts. There are plenty of commercial parking lots in our neighborhoods. PCO's should warn people before ticketing cars parked in driveways. He is not in favor of combining the MTA with the Taxi Commission.

David Pilpel announced that he has been reappointed to the Sunshine Task Force. He congratulated Ray Favetti for fixing the bench on the outbound platform at West Portal. Tom Mullen is retiring from Muni. Mr. Mullen has been a great man and employee and he is sorry that the Director didn't recognize him. He had a productive meeting with TWU about the budget, and ways to fix it.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

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- C. Joseph Sandoval, Unlitigated Claim #0489493, filed on 2/24/04 for \$12,000
- D. Keith Addy, Superior Ct. #412598 filed on 9/16/02 for \$75,000

RESOLUTION 04-052

(10.2) Authorizing the Director to execute and file appropriate Transportation Development Act, State Transit Assistance, and Assembly Bill 1107 applications with the Metropolitan

Transportation Commission of an allocation of TDA, STA, and AB1107 funds in Fiscal Year 2004-2005. (Explanatory documents include a staff report and resolution.) (MUNI)

RESOLUTION 04-053

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Declaring a fiscal emergency caused by the failure of agency revenues to adequately fund agency programs and facilities for FY2005 pursuant to the California Public Resources Code section 21080.32 and California Environmental Quality Act Implementing Guidelines; and finding that the reduction or elimination of the availability of existing transit service are statutorily exempt from CEQA review. (Explanatory documents include a staff report and resolution.)

PUBLIC COMMENT:

Glenda Lavigne has serious concerns about the fiscal emergency proposal. Are we saying we can't pay the bills? This is kind of reckless and there is no information that says we can't pay our bills. She wondered if other transit agencies did this and if so, what the impact was. Don't "rubber stamp" this action and look at its impact on Muni, citizens, and employees.

Tess Welborn, Haight Ashbury Neighborhood Council (HANC), doesn't think this is an emergency yet. The public needs more exact data and an environmental audit. The drop in ridership may be related to the fare increase. Before declaring an emergency, consider how revenue can be increased and how major projects can be restructured or delayed.

David Tornheim, Central City Progressives, doesn't think that sending the calendar out 72 hours in advance is proper notification as there isn't sufficient time to review the materials. The 5-Fulton is often at crush loads in the afternoon but the report says it's 57% full. The data doesn't reflect rider reality and often the bus is completely packed beyond full. This emergency should have been anticipated and a full environmental review is justified. Don't circumvent the process.

David Pilpel has provided detailed comments in writing. The staff responses didn't address all his points. The response to his comment about the meeting notice response didn't discuss his concern about how public hearings should be noticed. The fund reserve policy doesn't grant the Board the authority to grant a fiscal emergency. He is being rebuffed by staff and is happy to take questions.

Alice Mosley is completely dependent on public transportation. The 5 and 7 lines are marvelous assets. Circumventing the need for an environmental audit does a great disservice to the public.

We are trying to reduce our dependency on oil driven vehicles. If there are cuts to be made, look to transferring from diesel to electric.

Pi Ra, HANC, is confused about the waiver. How can you apply for this declaration if you say you're adjusting and not cutting service?

Herbert Weiner read a poem about the service adjustments and provided copies for the board.

Rafael Cabrera wonders how Muni can declare an emergency and consider these adjustments. He doesn't understand what we're doing and thinks that we have to listen to what the community says.

Jennifer Kindrick lives around USF and relies on the 5-Owl service. It's dangerous around Golden Gate Park because of the drug addicts and bums. She's a college student and can't afford a car.

Chairman Vaughns assured the public that when they provide public comment and information, the Board is listening. Testimony is being recorded and the secretary is taking notes. Chairman Vaughns then asked the Executive Director to give clarification or a definition of "fiscal emergency".

Executive Director Burns reviewed the circumstances leading up to the fiscal emergency. The proposal to close the \$32 million deficit includes using capital money, loaning capital money, service cuts and adjustments and 125 lay offs. CEQA provides a calculation to determine if an agency qualifies for a fiscal emergency. Muni can prove that it qualifies. Declaring a fiscal emergency is a mechanism used by other transit properties in the region. The law allows for this because of the length of time it takes to conduct a full environmental review. Muni wouldn't be recommending adjustments and cuts if there wasn't a fiscal necessity. He would prefer to see more service and new service and will work aggressively with the Mayor and Board of Supervisors to find other sources of revenue. We have been through the required process, and have considered and responded to comments from the public. Muni needs to define the actions to close the budget deficit within the next 45-60 days so adjustments can be implemented by the end of August. Any delay will result in an increased deficit. Staff recommends approval of the declaration of fiscal emergency.

Director Casey thinks that an environmental review that clearly sets forth the impact would assist the MTA in making our case to the Supervisors and Mayor. It may motivate the city to focus on revenue enhancement discussions. He argued in opposition to the declaration of a fiscal emergency. If there is a crisis, we need all the evidence and support that we can muster to compel decision makers and stakeholders that something has to be done. This board has a fiduciary responsibility to get the agency fully funded. If an environmental report will assist in that effort, we should do that.

Director McCray is not clear about the nature of the deficits and the justification for the cuts. They won't be good for residents or Muni. He is not ready to support this declaration.

Executive Director Burns stated that this item could be voted on at a future meeting. He is not sure what else staff can do to justify the fact that there is a \$32 million deficit. The board has spent the last three months talking about the budget deficit and proposed solutions. Delaying the adjustments as proposed will make the deficit go higher and will require worse actions.

Director Kasolas asked for a cost estimate if we delayed implementation of the service adjustments to do an environmental review. Executive Director Burns will provide the requested information but thinks that the delay could cost \$1.5 million at a minimum, which would mean additional layoffs or deeper service cuts. The proposal to adjust service only covers \$5 million of the \$32 million dollar deficit.

Director Din pointed out that when the board approved the budget, we borrowed \$6 million from future budgets. If we don't step up now, the more it will cost us and the more difficult it will be next year.

On motion to approve:

ADOPTED: AYES – Din, Kasolas, and Vaughns

NAYES - Black, Casey and McCray

The motion failed.

12. Public hearing to consider proposed service adjustments, including termination of service and schedule and route changes, for the Municipal Railway on lines 1, 2, 3, 4, 5, 6, 7, 9, 9X, 9AX, 9BX, 12, 14, 15, 16AX, 16BX, 21, 26, 29, 30, 33, 38, 41, 54, 66, 67, 71, 71L, 82X and F.

Items 12 and 13 were called together.

13. Authorizing the Director to implement Municipal Railway service adjustments, including rerouting, reducing or terminating service on certain lines and to assess the feasibility for expanded use of electric trolley coaches. (Explanatory documents include a staff report and resolution.)

Julia Friedlander, Deputy City Attorney, noted that the board is welcome to hold the public hearing but taking action on Item 13 was contingent upon approval of the fiscal emergency, which didn't occur.

Chairman Vaughns asked the public to allow people who had not yet had an opportunity to speak to come forward first.

PUBLIC COMMENT:

Bob Planthold opposes the cuts. He has been told the reason is because of the lack of money but the Board has not diligently and faithfully pursued all sources of revenue. The board has been negligent and he wondered if there has been official misconduct. There is a state code which

authorizes the hiring and training of disabled people to ticket violators. This is an overlooked source of revenue and now the MTA is stuck in a situation where you have left money on the table but you have failed to follow through. The Board may be viewed by the public as having neglected their duty, as this source of revenue could have raised significant monies.

Tess Welborn stated that there was a complete lack of notice about this meeting. On the buses there was information about the revisions but nothing that told the public about these meetings. Muni should relook at their conclusion that if 20 people aren't standing on a bus, it's not an adequate load. These cuts disproportionately hit District 5, where working people live. The 7 is busy at night after rush hour. To solve the problem, the MTA should eliminate administrators who make over \$100,000.

Gene Pepi has grave concerns about any Muni proposal. Muni experienced fare increases that added money to the fare box. He hasn't heard where this increase is accounted for. Service cuts will add to the fare collection problem and will reduce the amount of money Muni is collecting. He opposes service cuts.

David Jackson can't make sense of the service cuts. He often sees buses headed downtown but doesn't see buses going the other way. We need more services rather than less. These adjustments are reprehensible. All patrons using Muni need a fare and equitable way to get to where they're going.

Rick Laubscher, President, Market St. Railway, recognizes the difficulty in crafting a proposal. On the F-line adjustments, staff should engage in consultation with those who understand this line. While we appreciate the staff recommendation to add vintage cars, it doesn't address the issue.

Tom Kelly is not in favor of any cuts. He presented a petition against eliminating the 3-Jackson with 20 signatures on it. The 12 is not a substitute. It doesn't go downtown or to Union Square. Replacing electric service with diesel will be incredibly noisy and will cause pollution. He strongly urges the Board to keep the 3- Jackson.

Jean Kelly opposes elimination of the 3-Jackson as it's the only bus in the neighborhood. We don't want diesel buses in our neighborhood. Keep things the way they are.

Anita Denz is alarmed at losing the 3-Jackson, and adding diesel. She has a petition with over 300 signatures. People who live outside the city ride the 3 and cutting it impacts people who live way beyond the neighborhood.

Paul Wermer urged the board to look at these service adjustments. You should listen to and use the drivers as your eyes and ears to know if there are unacceptable crush loads on buses.

Mark Helmbrecht, Manager of Transportation for the Presidio Trust, called the 82X a central lifeline to downtown, CalTrain, the Transbay Terminal and Ferry Building, which shouldn't be cut. He understands that ridership doesn't meet Muni standards but consideration should be given to that line as it is one of only a few services that connect the Presidio to the outside world. Riders are

interested in saving at least a couple of the runs and Muni can eliminate the other three if necessary. The Lucas Campus is opening in 2005 and will bring an additional 2000 employees. Coupling this change with a reduction of the 41 line is a double whammy. He is happy about the additional runs for the 29 line.

Irwin Phillips, President, Clement St. Merchants, is looking at the proposed cuts and finds no fault with them. The 2-Clement is the heartbeat of the commercial district. The 4 could be done away with. Staff should study extending the #2 to the hospital and turn it around where the 38 turns around. He doesn't know if the 38-Geary buses should continue to go to the beach. If cuts have to be made, we can go along with those in our district.

Herbert Weiner wondered what avenue of redress the public has once these cuts hit and their impact is felt. Instead of laying off workers, you should focus on management and save money by getting rid of the "yo-yos". Consolidate positions and don't replace them. Save those 125 jobs.

Herb Panceszewich had no indication of the April 6 meeting and nobody in his neighborhood was informed. If the 26-line is cut, only the 54 will serve the neighborhood and that line has delays and other problems. He would have to walk 2 blocks to get to that line. The Oceanview shopping area is well served by the 26.

William Sisk, President, TWU-Local 250A is willing to sit down and work on things to save money but Muni must show good faith and sit down in earnest. He also thanked the directors who voted their conscience and not politics.

David Pilpel thinks it would have helped the public if there had been a staff presentation first. The adjustments are within managements' ability to implement and there is nothing before the board to authorize implementation. The structural changes may require environmental review. He strongly suggests that staff review the schedules for more, deeper adjustments that don't abandon service and people but will reduce service on the street where load factors warrant. His suggestions to staff have been rebuffed. He is concerned about the language in the resolved clause as it may be an open-ended authorization.

Alice Mosley thanked the board for their stance on the fiscal emergency and for listening to the public. It's hard to swallow service cuts after a fare increase. It's easier to see an increase in trolley use because they are not as costly and are more environmentally friendly. Because municipal garages are subsidized, is it not feasible to have a coherent, comprehensive policy to have those rates at a commercial level? A strong message should be sent out to leave cars at home.

Flip Sarrow, Haight Ashbury Merchants Association, appreciates that the 7 is not dead and will operate on a limited capacity. His concern about the 71 is having accordion buses running on the weekend. It makes more sense to have the 7 on the weekends and not use the double buses because Haight St. has lots of pedestrian and commercial traffic and is most congested.

Kate Volkman commended Muni for their responsiveness. Muni should be adding service, especially late at night and on weekends. Because delays are often due to the lack of drivers, Muni

should have substitutes. When a bus arrives, the bus is packed and bunched. She doesn't have a problem with changing the schedule but does have a problem with how often they arrive.

Fredrika Ward asked if the board had considered the proposed "last call" bill being discussed in the state legislature.

Susan Vaughn thinks it is imperative to not cut service. Everything should be done to not cut service. She has some concern that Armageddon is around the corner.

Chris Finn opposes the cuts and is glad to see the fiscal emergency didn't pass. Muni may need restructuring. A recent BART audit showed it was top heavy with management. The notes say that labor costs have increased faster than revenue. Has anyone looked at those costs? Muni should be behind fully subsidized health care and should support a downtown transit assessment district. The drivers are against using the cuts as a justification for reducing workers, benefits and pay.

Nick Robins considers Muni's most important function is the connection to the high-speed lines. If the 12 were extended, it would end near Market and Embarcadero and not near the Embarcadero Station. The strategy should be to get people to high-speed lines so people can get where they're going. The 3 is the wrong line to kill.

Eli Sheridan stated that these cuts hurt people who don't have cars and can't afford them. You can't improve the city by hurting the infrastructure. The 5 line is always crowded and she doesn't know what would happen if someone in a wheelchair needed to get on in the afternoon.

Mike Ilich wondered why bus drivers don't communicate when they are running late or when they arrive and are all bunched together. Why don't they stop and put riders on the first bus and then spread themselves out? He is concerned about buses that don't wait for each other. The 28-Sunset bus serves as an ad hoc school bus. Muni should talk to the school district about subsidizing these buses because it's not fair to the rest of the public. Commercial districts, downtown and shopping centers should pay their fair share. Please don't cut the 5-owl bus, as it's crucial for late night workers.

Karen Pearson is opposed to cutting the 3-Jackson. She uses it everyday. The 12 is a polluting diesel bus.

David Tepper has been riding Muni daily for 25 years to and from work. The notion of replacing electric with diesel is highly objectionable because of the pollution, energy, and noise. He rides the 3 to a BART station, then takes BART to the airport. This will be difficult to do with the 12-line. He doesn't like the idea of having a diesel bus run by his bedroom window.

David Tornheim, Central City Progressives, thanked the Board for not approving Item 11. The communication hasn't been good and he has heard repeatedly that people weren't sent a notice. These notices should be sent out 30 days in advance and not just 72 hours before. He thanked people for putting up fliers and for their help. Service has been the same for the past 10 years.

There is no emergency because Muni revenue keeps increasing. He doesn't know why we can claim there is no money. There needs to be an audit because he's not clear where the costs are coming from. He is forming a new riders group.

Chairman Vaughns thanked people for their input on behalf of the Board and staff. The public's comments have been heard. Staff has spent up to fifteen or sixteen hours in a day to hear what people have to say. We hope that the public understands that everything must change. We can't look at this matter from a "not in my neighborhood" or "not at my house" perspective. We hope the public can appreciate the thought and process that the MTA went through in an effort to resolve this issue.

Executive Director Burns thanked the public for their input and agreed that communications could have been better. It has been difficult working under tight timeframes. Staff has received over 600 comments from the public, not including the petitions, and they take these comments seriously. They have tried to include them in the decision about how to deal with the \$32 million deficit. The staff proposal has changed as a result of the comments received. Staff is now recommending keeping the 3-Jackson, eliminating the 4-Sutter and retaining the 5-owl. They are also recommending retention of the 7-Haight during peak periods and keeping the 33-Stanyan as it is currently routed. They accept Market Street Railways' offer to discuss how to integrate the F-Market shuttle into the regular service schedule.

Peter Straus, Manager, Service Planning stated that Muni had received over 600 comments about the proposal with the most significant comments being about the changes to the 7-Haight, 4-Sutter, 3-Jackson and 33-Stanyan.

The Board took no action on this item.

14. Consideration of Modification No. 2 to Contract No. MR-1147 Third Street Light Rail Transit Platform Finishes and Special Systems regarding subcontractor substitution. The MTA Board of Directors will take testimony on and will consider adopting only one of the following two motions. (Explanatory documents include a staff report and resolution.)

(14.1) Approving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which would substitute Lewis M. Merlo, Inc. for Bay Area Concretes, and denying the objection of Bay Area Concretes

(14.2) Disapproving Modification No. 2 to Contract No. MR-1147, Third Street Light Rail Transit Platform Finishes and Special Systems, which would substitute Lewis M. Merlo, Inc. for Bay Area Concretes, and upholding the objection of Bay Area Concretes.

No public comment.

Vince Harris, DGM, Construction, reviewed the status of the contract. It was awarded to Amelco on April 2, 2003 with Bay Area Concretes (BAC) as a subcontractor. This item requests approval to substitute Lewis M. Merlo for Bay Area Concretes. Bay Area Concretes objects to the substitution.

Julia Friedlander, Deputy City Attorney, explained the laws that apply to this hearing. The Board must determine if Amelco has met burden of proof that:

- 1) More likely than not, Amelco presented BAC with a written contract based on plans and specifications or the terms of the BAC written bid;
- 2) The contract Amelco presented to BAC was for the scope of work specified and at the price specified;
- 3) Amelco gave BAC a reasonable opportunity to execute a contract; and
- 4) BAC failed or refused to execute a contract.

This is a quasi-judicial matter and the decision must be based solely on the written information previously received by the board and on the oral testimony. Each party, starting with Amelco, will have five minutes to present their case. After the initial presentation, each side will be allowed two minutes of rebuttal.

John Antracoli is the attorney for Amelco, the firm requesting the subcontractor substitution. Amelco is requesting to substitute Lewis J. Merlo for BAC. Merlo is a locally based, union contractor and is qualified to do work. The real question is whether BAC refused to sign the contract based on it's bid. BAC has had reasonable opportunity to execute the contract. The documents that Amelco provided show that BAC refused to sign the contract in accordance with the bid. The bonding agent was included in the bid but was not included in what BAC returned. Joint sealant is an integral part of work and was included in the title of the bid item and has its own specific section. BAC's bid doesn't exclude this. They included mastic sealant, which is not included in the specifications. These items were not excluded from the bid but were excluded in their revised bid. Bid shopping or pedaling is not pertinent in this case. They request approval of the substitution.

Paul Guererro, Attorney for BAC, suggested that the City Attorney cited an old code that no longer exists. There has been a problem with this process. City staff postponed the last hearing to allow time for Amelco to respond to the BAC brief but negated BAC's ability to respond to Amelco's brief. BAC was not allowed to introduce evidence to rebut information in Amelco's brief. BAC's bid sets forth the scope of work they were bidding on. By looking at the documents, you can see what has been included and excluded in that bid. BAC's bid to Amelco doesn't mention joint sealant. Mastic and joint sealant are synonymous in the trade. The bid's most telling thing is that it doesn't mention dry art. Dry art is different than wet cast art. If Amelco had a problem with our bid, they could have used someone else. We also question the traffic control item in the bid.

Chairman Vaughns gave each party two minutes to present their rebuttal.

John Antracoli, Attorney for Amelco, stated that Amelco has not requested that BAC perform all traffic control on the project. There will be large concrete dispatch trucks on 3rd St. and it is BAC's responsibility to provide control for those trucks. The bid doesn't exclude it. That piece of the contract will not include pedestrian traffic control. BAC was not asked to supply public art. Muni is supplying that art. It's not correct to ignore the entire section on sealant.

Paul Guererro, Attorney for BAC, referred to the section in the brief that says the bid includes flagging for all concrete trucks, pedestrian control, etc. The rest is to be performed by senior citizens employed by Muni. What their attorney says now differs from what it said in writing. Please reject the attempt to replace Bay Area Concretes.

Michael Price, President of BAC, acknowledged that he "okayed" the contract revisions during a conversation with Amelco on the phone. He added that when a prime contractor puts together a bid, it's their responsibility to get pieces from different subcontractors. This bid was blown. They forgot to include who was going to put the artwork in. We bid on the wet art only.

In response to a question about traffic control by Director Casey, Dan Krasnow, project manager for Amelco, stated that they have no interest in BAC conducting pedestrian traffic control. Amelco is focused on the movement of BAC's large trucks. It's important to take vehicular traffic control into account. Amelco's understanding is that Muni was using local people to handle pedestrian traffic control at major intersections along Third Street.

Chairman Vaughns thanked the parties for their testimony. It's not up to the board to get this far involved. We selected the prime contractor to do the work and the prime selected the subcontractors. This is a prime contractor's problem. She suggested that internal negotiation or mediation be pursued by the prime contractor and subcontractor to resolve the dispute and asked them to present a written report, agreed to by both parties, within 5 business days. She expressed great faith in the professionalism of both sides to come to a resolution. She asked for the report, addressed to her, to be delivered to the Office of the Board of Directors by close of business on Tuesday, April 27.

Director Casey wholeheartedly supports this effort and asked for a closed session at the next meeting in the event that an agreement is not reached.

The board took no action on this item. It was continued to the next meeting.

DEPARTMENT OF PARKING AND TRAFFIC

15. Approving revised parking rates at the North Beach Garage and the Vallejo Street Garage including an evenings-only, restricted monthly rate; a promotional evening rate on Sunday through Thursday for one year; and discontinuing the current special Sundays and holiday daytime rate. (Explanatory documents include a staff report, resolution and proposed rates.)

The board secretary noted that it had been previously announced that this item was going to be continued. Chairman Vaughns asked if anyone in the audience wished to speak. There was no public comment.

The item was removed from the agenda at the request of staff.

16. Approving the Japan Center Garage Corporation's Fiscal Year 2004-2005 budget, marketing

plan and capital improvement requests and the Japantown Task Force's budget. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

Chairman Vaughns commented that it's important for staff to take note of the language used when preparing the staff report.

RESOLUTION 04-054

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

17. Approving the City of San Francisco Ellis-O'Farrell Parking Corporation Fiscal Year 2004-2005 budget and the capital improvement requests. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-055

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 7:07 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary

Julia Friedlander, Deputy City Attorney
George Wong, Deputy City Attorney
Vince Harris, Deputy General Manager, Construction
Bill Neilson, Principle Engineer
Gigi Harrington, Deputy General Manger, Finance

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved.

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Edward W. Scott Electric, Napa County Superior Ct. #2621061 filed on 1/23/02 for \$2,411,245.

RESOLUTION 04-056

On motion to approve as amended:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 7:30 p.m.

18. Announcement of Closed Session.

Chairman Vaughns announced the board met in closed session to discuss Edward W. Scott Electric vs. CCSF with the city attorney. The resolution was amended to include:

“provided however that the MTA Board's approval shall be contingent on modification of Section 1.2 of the Settlement Agreement to provide that San Francisco shall make two separate payments. The first payment, allocated to each of the parties in proportional shares, shall be in an amount not to exceed \$1,520,685.75. The second payment, allocated to each of the parties in proportional shares, shall be in an amount not to exceed \$890,559.70 and shall not be due until August 1, 2004.”

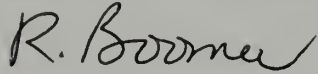
The board voted unanimously to settle the case.

19. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved.

ADJOURN - The meeting was adjourned at 7:32 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in cursive script, appearing to read "R. Boomer".

Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, MAY 4, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-April 20, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members

-Report on Modification No. 2 to Contract No. MR-1147 Third Street Light Rail Transit Platform Finishes and Special Systems regarding subcontractor substitution.

7. Director's Report (For discussion only)

-Special Recognition Award
-Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Brian Roy Bender, Superior Ct. #417405 filed on 2/14/03 for \$981.17
- B. Amelita Millas, Superior Ct. #417126 filed on 2/6/03 for \$10,000
- C. Elizabeth Heuer, Superior Ct. #417028 filed on 2/4/03 for \$57,500

(10.2) Approving the following traffic modifications:

- A. ESTABLISH NO PARKING ANYTIME - Cunningham Place, at the terminus of between the north and south curbs.
- B. ESTABLISH PERPENDICULAR (90-DEGREE ANGLE) PARKING - Cunningham Place, south side.
- C. RESCIND RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY); ESTABLISH MUNI VEHICLES ONLY; ESTABLISH SIDEWALK WIDENING; ESTABLISH TOW-AWAY, NO STOPPING ANYTIME - Taylor St., both sides, from Francisco St. to 124 feet north.
- D. ESTABLISH SIDEWALK WIDENING - Mason Street, west side, between Bay and Francisco Streets.
- E. EXTEND PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Harrison Street, north side, between 11th Street and Norfolk Street.
- F. ESTABLISH UNMETERED MOTORCYCLE PARKING - Frederick Street north side, from Delmar Street to 9 feet westerly
- G. ESTABLISH ONE-WAY STREET - Hattie Street, southbound, between Market and 18th Streets and Hattie Street, northbound between Market and Corbett Streets
- H. RESCIND TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - Folsom Street, south side, from 90 feet to 105 feet west of 4th Street
- I. ESTABLISH NO PARKING ANYTIME - Sears Street, west of Sickles Avenue, from north curb to south curb along the terminus of the street
- J. ESTABLISH RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - Roanoke Street, both sides, between Arlington Street and southern terminus.
- K. ESTABLISH PERPENDICULAR (90-DEGREE ANGLE) PARKING - Rhode Island Street, west side, between Alameda and 15th Streets
- L. ESTABLISH TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - Masonic Ave., west side, from 120 feet to 380 feet north of Geary Blvd. (frontage of Trader Joe's) (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the Director to apply for, accept and expend \$450,000 in California Department of Transportation's Safe Routes to School grant funds to improve school safety for the Leonard Flynn Elementary School area through traffic calming and other traffic safety measures. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.4) Authorizing the Director to apply for, accept and expend up to \$324,000 from the

California Department of Transportation's Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various arterial intersection locations throughout the City. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.5) Authorizing the award of DPW Contract No. 0761J: Contract 56 New Traffic Signals, to King C. Electric, as the lowest responsive and responsible bidder, for a total contract amount of \$469,891. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

(10.6) Approving the SFgo System Integrator Request for Proposals, and authorizing the Director to issue the RFP, conduct a competitive selection process and negotiate a contract with the selected consultant for an amount not to exceed \$700,000. (Explanatory documents include a staff report, resolution and RFP text.) (DPT)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute Amendment No. 7 to Contract CS-123, Professional Design and Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, to settle Contract claims for extra design work and provide for additional construction support services, in an amount not to exceed \$1,500,000, and for a total contract amount not to exceed \$11,481,206. (Explanatory documents include a staff report, resolution and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A, SEIU Locals 535 & 790, Electrical Workers, Local 6, TWU 200, IFPTE, Local 21, Laborers, Local 261, Municipal Executives, , Stationary

Engineers, Local 39, Teamsters, Local 853, Carpenters, Local 22, Painters, Local 4, Operating Engineers, Local 3, Sheetmetal, Local 104, Glaziers, Local 718, Plumbers, Local 38 and Unrepresented employees.

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

12. Announcement of Closed Session.

13. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, MAY 4, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:09 p.m.

2. Roll Call

Present: Shirley Breyer Black
Mike Casey
Wil Din
Michael Kasolas
Cleopatra Vaughns

Absent: James McCray, Jr.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

-On motion to approve the minutes of the April 20, 2004 Regular Meeting: unanimously approved.

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

Chairman Vaughns stated that the Board had received comments from a few people who questioned the posting of the agenda. She asked the Board Secretary to clarify the procedure for posting the agenda. Board Secretary Boomer said that, in compliance with the Sunshine Ordinance, the agenda is posted on the Muni website and at the public library at least 72 hours before a regular meeting. Because the 72-hour period includes the weekend, the agenda is actually posted for any given meeting by the Friday prior to the meeting. The agenda is usually available on-line and at the public library by Thursday, at which time it is also available in the office of the Exec. Director.

-Report on Modification No. 2 to Contract No. MR-1147 Third Street Light Rail Transit Platform Finishes and Special Systems regarding subcontractor substitution.

Chairman Vaughns announced that the prime contractor and subcontractor have resolved the issue regarding the subcontractor's contract as directed by the Board. At her request, Executive Director Burns read the letter that Chairman Vaughns received from Amelco and Bay Area Concretes announcing the resolution of the dispute and that there was no need for further action by the MTA Board.

Director Casey is pleased to hear of the agreement and commended Chairman Vaughns for her leadership in compelling the parties to work together. It showed tremendous effort on the Chairman's part.

7. Director's Report

- Special Recognition Award
- Ongoing Activities

Executive Director Burns is pleased to present the May Special Recognition Award to Mr. Jim Ludwig. In 1956, Mr. Ludwig was elected as one of the founding members of the corporation that developed the Sutter Stockton Garage, serving as president of that corporation from 1974 to 1989. He was also a founding member of the San Francisco Municipal Railway Improvement Corporation and served as its president until December 2003. It is an honor to recognize Mr. Ludwig for his contribution to transportation in San Francisco. Mr. Ludwig stated that he was overwhelmed with the award. He has worked with many general managers and hopes to give much more in the future. Chairman Vaughns appreciated his consummate civic leadership and pioneer spirit and congratulated Mr. Ludwig on behalf of the Board.

At a recent Board of Supervisors Finance Committee meeting, DPT deputy director, Gerry Norman gave a presentation about the Citation Division and some proposed improvements for oversight and auditing. The committee was pleased with the report. Draft policies and procedures have been developed and will be presented to the MTA Board for adoption in June.

On Sunday, May 16, the 93rd Annual Bay to Breakers run will be held with 60,000 registered runners, and approximately 80,000 actual participants. There will be a Footstock Festival following the race. Muni will provide 105 coaches and 24 light rail vehicles. Muni and DPT is reimbursed for their services by the event organizers. Muni will have to reroute 28 lines because of the event.

Last week the San Francisco Redevelopment Agency, San Francisco Planning Commission, and

Peninsula Corridor Joint Powers Board certified the Final Environmental Impact Report and Statement for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. Over the years, there have been many studies recommending that Caltrain be extended to a new terminal in downtown San Francisco. The Project's capital cost estimate is \$1.754 billion.

At the next meeting, a public hearing on the quality review audit required by Prop E will be presented to the Board. This audit will review the extent to which Muni has met or expects to meet its goals. The overall results were positive, with a few areas highlighted for improvement and some welcome suggestions about ways to streamline the service standards data collection and reporting to make it more useful. Nelson/Nygaard, who performed the audit, will present the results to the MTA, the Citizen's Advisory Council, the Mayor and the Board of Supervisors.

Muni is conducting a series of public meetings for residents and merchants to hear and discuss the current status of the Third St. Project. These meetings are also being held as a forum for community members to provide input on specific design options

Chairman Vaughns wanted to know who was representing Muni at these meetings. She wants documentation that Muni was in attendance. Executive Director Burns stated that John Thomas, the project manager, would be in attendance supported by public relations and engineering staff, including consultants.

Chairman Vaughns asked if there had been "lessons learned" from past Bay to Breakers races. Executive Director Burns stated that every year they hold post-event meetings with other city departments to look for ways to improve. This year, they are looking to provide more service on Fulton Avenue since more people used it last year.

8. Citizen's Advisory Council Report

No report was made.

9. Public Comment

Roger Bazeley stated that other departments look on DPT's pedestrian safety program as an exemplary program. He complimented Bond Yee, Frank Markowitz and Tom Folks. We need more integration to make this city more walkable. Muni needs to work with their operators so people go to the driver to get help. DPT needs funds to maintain the pedestrian countdown system, maintain new technology, and hire crews and equipment. He is not seeing enough reflected in safety at night with things such as employees wearing vests. The Pedestrian CAC should post their information.

David Tornheim is glad that the fiscal emergency failed, and service adjustments have been delayed. He doesn't want to see the service cuts done, especially the 5-owl and 7-Haight. Lines are packed and are above crush load. Central City Progressives has been looking at other possibilities for revenue and will come to the Board with their ideas. Thanks for addressing the

notification issue. 72 hours isn't enough time for the public to address an issue. A week's notice would be better. His organization will support the Transit Impact Development Fee and he will bring people to the meeting.

Barry Taranto is having a problem with taxis at the ballpark. He's had to get involved in three incidents where an unmarked police car, fire car and a limousine parked in the cabstand. Sylvia Harper has set up a meeting to discuss this. There's a problem at 18th and Castro where the police are becoming like the Gestapo with how they deal with cab drivers. Bus #5408 didn't stop at the bus stop at 2:15 a.m. on Saturday morning. What is the bus stop for if they don't stop? Give cabs a chance to do their job. Staff is doing nothing about illegal parking but is continuing to harass cab drivers. Muni should use hydrogen buses like other cities.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

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(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

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- C. Elizabeth Heuer, Superior Ct. #417028 filed on 2/4/03 for \$57,500

RESOLUTION 04-057

(10.2) Approving the following traffic modifications:

- A. ESTABLISH NO PARKING ANYTIME - Cunningham Place, at the terminus of between the north and south curbs.
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- STOPPING ANYTIME - Taylor St., both sides, from Francisco St. to 124 feet north.
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 - L. ESTABLISH TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - Masonic Ave., west side, from 120 feet to 380 feet north of Geary Blvd. (frontage of Trader Joe's) (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-058

(10.3) Authorizing the Director to apply for, accept and expend \$450,000 in California Department of Transportation's Safe Routes to School grant funds to improve school safety for the Leonard Flynn Elementary School area through traffic calming and other traffic safety measures. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-059

(10.4) Authorizing the Director to apply for, accept and expend up to \$324,000 from the California Department of Transportation's Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various arterial intersection locations throughout the City. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-060

(10.5) Authorizing the award of DPW Contract No. 0761J: Contract 56 New Traffic Signals, to King C. Electric, as the lowest responsive and responsible bidder, for a total contract amount of \$469,891. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

RESOLUTION 04-061

(10.6) Approving the SFgo System Integrator Request for Proposals, and authorizing the Director to issue the RFP, conduct a competitive selection process and negotiate a contract with the selected consultant for an amount not to exceed \$700,000. (Explanatory documents include a staff report, resolution and RFP text.) (DPT)

RESOLUTION 04-062

On motion to approve the Consent Calendar (Item 10.5 severed):

ADOPTED: AYES – Black, Casey, Din, Kasolas, and Vaughns

ABSENT - McCray

PUBLIC COMMENT:

Barry Taranto asked that Item 10.5 be severed. He is confused about what the contract is for and wondered what intersections they plan to use. He couldn't find the information about the intersections on the website.

Bond Yee, Traffic Engineer, stated that the three intersections are Duncan and Guerrero, 21st and Guerrero and Clarendon and Laguna Honda Blvd

On motion to approve Item 10.5:

ADOPTED: AYES – Black, Casey, Din, Kasolas, and Vaughns

ABSENT - McCray

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute Amendment No. 7 to Contract CS-123, Professional Design and Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, to settle Contract claims for extra design work and provide for additional construction support services, in an amount not to exceed \$1,500,000, and for a total contract amount not to exceed \$11,481,206. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

Director Casey asked for an explanation about why some of these costs weren't included in the initial bid or even anticipated in that bid. Executive Director Burns commented that some of the

extra cost was due to unanticipated site conditions and other costs were to fund construction support services. The contract was awarded in 1999, at which time it was anticipated that the contractor would perform both design and construction support services. The design services were funded in 1999 but the construction support was on an as-needed basis.

Vince Harris, Deputy General Manager, Construction added that the consultant is the only consultant for the Third St. Project. At the time that the contract was awarded, it included basic design services and anticipated construction services. Now that the project is underway, staff has a better understanding of the scope of construction services and that portion of the project can proceed.

Director Casey stated that the approach seems unorthodox and, if the work has already been completed, then the Board has no choice but to approve the contract amendment. D.G.M. Vince Harris noted that a portion of the work has been completed and that the work for the construction phase, in the amount of \$675,000, has not been expended.

Director Casey asked that the Board be alerted to situations like this in advance. If the Board didn't approve the contract, the consultant would have a lawsuit against the MTA and claim that he did work that he wasn't compensated for. He feels somewhat resentful about being put in this situation in what amounts to a rubber stamp by the Board. The MTA is in a severe financial crisis and a large portion of money has been spent without the Board's approval. These issues should be raised as it's happening and not after the fact. Chairman Vaughns agreed with Director Casey, adding that there have been other contracts that have come before the Board where contractors have performed work without Board approval. Either get approval or don't do the work.

Director Din asked about the impact this has given the ceiling on the Third St. Budget. Vince Harris stated that the cost is included in the budget given to the Transportation Authority. He understands what the Board is saying about notification when staff is in negotiation with a contractor about this type of work. He added that it is important to realize that a schedule delay would have been significant. He will keep the Board informed on a more proactive basis. Director Casey stressed that it's incumbent upon staff to bring a dilemma of this nature to the Board and have the Board make the decision.

Exec. Director Burns commented that Director Casey is right on. This is an old practice that staff has been trying to change for the past few years. Staff does have a new procedure in place for notifying the Board when these situations arise. In retrospect, there should have been notification when the issue first arose. The contractor has proceeded at his own risk but with Muni's supervision and good will. He appreciates Director Casey's point about the budget crisis but clarified that the money for this project is federal dollars and couldn't be used to supplement the operating budget to avoid layoffs or service cuts. He assured the Board that this contract is the only one of its nature.

RESOLUTION 04-063

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, and Vaughns

ABSENT – McCray

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 5:13 p.m.

2. Roll Call

Director Black recused herself from the closed session due to her association with SEIU.

Present: Mike Casey
Wil Din
Michael Kasolas
Cleopatra Vaughns

Recused: Shirley Breyer Black

Absent: James McCray, Jr.

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Larry Williams, Deputy General Manager, HR/LR/EEO
Gerry Norman, DD, DPT
Fred Stephens, General Manager, Muni
Mike Hursh, Deputy General Manager, Maintenance
Wilson Johnson, Deputy General Manager, Operations.

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Black, McCray-absent).

4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A, SEIU Locals 535 & 790, Electrical Workers, Local 6, TWU 200, IFPTE, Local 21, Laborers, Local 261, Municipal Executives, , Stationary Engineers, Local 39, Teamsters, Local 853, Carpenters, Local 22, Painters, Local 4, Operating Engineers, Local 3, Sheetmetal, Local 104, Glaziers, Local 718, Plumbers, Local 38 and Unrepresented employees.

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:29 p.m.

12. Announcement of Closed Session.

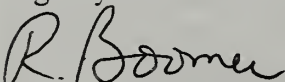
Chairman Vaughns announced the board met in closed session for a conference with their labor negotiator. There was no action taken.

13. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Black, McCray-absent).

ADJOURN - The meeting was adjourned at 6:31 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.


Roberta Boomer
Board Secretary



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, MAY 18, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
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Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-May 4, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)

- Muni Quarterly Service Standards Report
- DPT Quarterly Service Standards Report
- Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Allstate Ins. Co., Superior Ct. #CGC03422412, filed on 7/14/03 for \$2,000
- B. David Gunther, Superior Ct. #424886, filed on 9/30/03 for \$6,000
- C. Yun Chong Lu, Superior Ct. #422046, filed on 7/15/03 for \$8,000
- D. Mehrdad Tony Hakimian, Unlitigated Claim #0497561, filed on 2/17/04 for \$14,347.28
- E. Olga & Margarita Mikhaltchouk, Superior Ct. #415963, filed on 12/20/02 for \$28,410.63

(10.2) Authorizing the Director to apply for, accept and expend \$35,351,840 in federal Section 5309 Fixed Guideway capital assistance for: Trolley Coach Procurement; Cable Car Infrastructure Rehabilitation; MUNI Rail Replacement; Overhead Lines Reconstruction; Historic rail car Rehabilitation; Wayside Fare Collection Equipment and Metro East Maintenance Facility Construction. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.3) Authorizing the Director to apply for, accept and expend \$8,857,610 in federal Section 5309 New Starts capital assistance for Muni's Third Street Phase II-New Central Subway project. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.4) Authorizing the Director to accept and expend up to \$324,000 from the California Department of Transportation's Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various arterial intersections. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.5) Accepting the work performed under Contract No. MR-1135: Presidio & Potrero Trolley Coach Facility Modifications, approving Contract Modification No. 3, which reduces the contract amount by \$16,878.39, and approving the closeout of the contract with Jersey Constructors. (Explanatory documents include a staff report, resolution financial plan and contract modification.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Presentation and public hearing on the final results of the Municipal Transportation Quality Review pursuant to City Charter Section 8A.107. (Explanatory documents include a staff report and audit.)

12. Authorizing the Director to execute a Transit Advertising contract with Viacom Outdoor, from July 1, 2004 through June 30, 2009, with a minimum total aggregate of revenue and services of \$16,175,000. (Explanatory documents include a staff report, resolution, contract and financial plan.)

PARKING AUTHORITY

13. Authorizing the Director of the Parking Authority to issue a Request for Qualifications to identify a pool of parking consultants to assess the feasibility of the potential build out of the Performing Arts Garage at a cost not to exceed \$120,000 and accepting \$50,000 from the San Francisco Ballet, Symphony, and Opera, to be applied to the cost of the study. (Explanatory documents include a staff report, resolution and map.)

14. Declaring the intent of the Parking Authority to reimburse certain expenditures from proceeds of future indebtedness for exploration of potential build out of the Performing Arts Garage. (Explanatory documents include a staff report and resolution.)

DEPARTMENT OF PARKING AND TRAFFIC

15. Approving the Portsmouth Plaza Parking Corporation's Fiscal Year 2004-2005 Budget and capital improvement requests for the Portsmouth Square Garage. (Explanatory documents include a staff report, resolution and financial plan.)

16. Approving the Downtown Parking Corporation's Fiscal Year 2004-2005 budget and capital improvement requests for the Fifth and Mission Parking Garage. (Explanatory documents include a staff report, resolution and financial plan.)

17. Approving the Uptown Parking Corporation's Fiscal Year 2004-2005 budget and capital improvement request for the Sutter Stockton Garage. (Explanatory documents include a staff report, resolution and financial plan.)

18. Approving the Uptown Parking Corporation's Fiscal Year 2004-2005 budget for the Union Square Parking Garage. (Explanatory documents include a staff report, resolution and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

2. Roll Call

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

5. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A, SEIU Locals 535 & 790, Electrical Workers, Local 6, TWU 200, IFPTE, Local 21, Laborers, Local 261, Municipal Executives, Stationary Engineers, Local 39, Teamsters, Local 853, Carpenters, Local 22, Painters, Local 4, Operating Engineers, Local 3, Sheetmetal, Local 104, Glaziers, Local 718, Plumbers, Local 38 and Unrepresented employees.

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

19. Announcement of Closed Session.

20. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

DOCUMENTS DEPT.

TUESDAY, MAY 18, 2004
ROOM 400, CITY HALL
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MAY 27 2004

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REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Gerald Norman
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:06 p.m.

2. Roll Call

Present: Shirley Breyer Black

Mike Casey

Wil Din

Michael Kasolas

James McCray, Jr.

Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the May 4, 2004 Regular Meeting: unanimously approved.

5. Communications

The Board Secretary announced that Item 10.4 had been removed from the agenda at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

Vice-Chairman Kasolas requested a staff report within 30 days that discusses the background and policy on the installation of speed humps on city streets. He has noticed speed humps in Jordan Park, which seems to indicate a change in policy from a year ago. He would like to know how that project got started and completed and if the MTA Board approved it.

Chairman Vaughns stated that the board had previously requested additional information about community outreach plans for the Geary Phase I project, as well as for the peer review policy. The Board has received both items. Additionally, Chairman Vaughns called attention to the 2004 City Survey published by the Controller, and Muni's fair to good rating.

7. Director's Report

- Muni Quarterly Service Standards Report
- DPT Quarterly Service Standards Report
- Ongoing Activities

The Board of Supervisors has passed an ordinance reaffirming their decision to increase fines for parking on sidewalks to \$100. DPT will conduct a public outreach campaign, including information on the website and fliers on vehicles. This increase will take effect on July 1.

Muni is beginning the third year of construction on the Third Street Light Rail Project. Phase I is on schedule to be complete by Fall of next year with revenue service by the end of 2005. The Transportation Authority has adopted a revised final budget. The budget has increased by \$19.4 million due to the decision to use the Construction Manager/General Contractor approach to build Metro East and a significant increase in the price of steel. Muni staff has already identified \$9.9 million in other sources and are working with the Transportation Authority to find funding for the remaining budget gap. If no other sources are found, the sale of the Kirkland yard will be considered. The Third Street budget will be presented to the MTA Board at the next meeting.

On May 22, staff will replace the rail on the J-Church line at Dolores Park. This project will last for one day only and Muni will run buses to substitute service. Other maintenance work that will result in less noise for the neighbors will also be done. Staff has posted notices and advised the community.

In celebration of "Bike to Work Week", DPT, DPW, Muni and the Bike Coalition will dedicate the opening of a Bike Bridge. DPT is a key stakeholder in facilitating an increase in the use of bikes.

The annual Bay to Breakers and Footstock was held on Sunday. Over 73 PCO's and 90 Muni vehicles were deployed. Congratulations and thanks to both DPT and Muni staff who worked hard to insure coverage. Despite the traffic impacts this race had on the city, traffic flow was smooth.

Vice-Chairman Kasolas asked that the Board be given the information that will be provided to the neighborhoods regarding the increased fine for sidewalk parking. He also asked for DPT's policy on this matter. Executive Director Burns replied that DPT's official policy is consistent with state law, which says that anyone parked on a sidewalk is subject to a fine. On a practical matter, DPT responds to complaints as they recognize it's an issue in the neighborhood.

Fred Stephens, Muni General Manager reviewed the Third Quarter Service Standards Report. System-wide, on time performance is 71.5%. This is short of the 85% goal but has improved by 3.5% over the last quarter. Staffs' efforts are beginning to show results. They have focused on operators leaving the terminal on time. The percent of scheduled service Muni achieved this quarter is the highest percent since Muni first began keeping this record. It is a significant

accomplishment.

Chairman Vaughns expressed her pleasure in seeing a significant improvement this quarter and offered congratulations both personally and on behalf of the Board. Muni delivered an improved product this quarter. She asked what staff is doing to reduce accidents as the accident statistic indicates a marked increase.

G.M. Fred Stephens commented that while the number is the same as last year, it's a high number. Muni is focused on increasing the safety awareness and skills of operators, and to improve accountability when accidents occur. Muni has implemented a campaign to get safety into the minds of the operators on a daily basis. Chairman Vaughns stated that getting operator "buy in" to reduce accidents is important as this statistic is unacceptable.

Exec. Director Burns added that Muni has established an internal task force to look at how to reduce accidents. Labor is also being brought into this effort. Management is looking for a culture change throughout the organization. He will brief the board within the next two months when this initiative is more fully developed.

Gerald Norman, Deputy Director, DPT presented the Third Quarter Service Standards. Staff has achieved significant gains with colored curb applications. Staff cleared the backlog and is well on their way towards achieving this goal. Staff responded to 93% of the complaints about hazardous traffic sign conditions within two hours. As previously reported, the slump in traffic line maintenance was due to weather conditions. 94% of the time, lock-box renewals were turned around within two weeks. The Lock-Box program has also been instrumental in the dramatic reduction in the time people spent waiting in line.

Chairman Vaughns commended DPT for an excellent report. Executive Director Burns acknowledged D.D. Norman for his service. Mr. Norman is returning to a senior position within the District Attorney's office. He has done a great job while at DPT.

Gerry Norman commented that it has been a privilege and pleasure to work with the Board, DPT and with Muni. DPT employees are the most dedicated public employees he has ever worked with and he has made valuable relationships with employees of Muni and within the City Attorney's office. Chairman Vaughns wished Mr. Norman well and asked the Board to give a standing sign of appreciation to Mr. Norman.

8. Citizen's Advisory Council Report

Dan Murphy, Chairman, CAC added their appreciation of Mr. Norman. He has been a pleasure to work with. Mr. Murphy reviewed a number of the CAC recommendations including the adoption of the Nelson/Nygaard Prop E Audit Report. The CAC was impressed with the report, and thinks that their recommendations should be adopted. They also recommend approval of the Advertising Contract and the Performing Arts Garage items. The CAC is impressed with and commends Muni on their efforts to create jobs in the Bay View Hunter's Point neighborhood.

They also recommend undergrounding of electric wires when converting lines from diesel to electric; installing accessible fare wayside gates and to adopt service adjustments only when the load factor clearly shows an underutilized line. The CAC should be brought into the budget discussion earlier in the process.

The CAC has designated Steve Ferrario to be their representative to the Geary Corridor CAC. Joan Downey, Sue Cauthen and Dan Murphy recently attended a Telegraph Hill neighborhood forum regarding traffic and transit. Some consensus seems to be emerging about how to fix the problem with the 39-Coit and traffic congestion. The CAC urges the MTA to consider it. People on both sides of the issue showed great flexibility and a willingness to compromise.

Chairman Vaughns thanked Chairman Murphy for the CAC's insightful recommendations.

9. Public Comment

Patrick Garcia is an employee working with Guardsmark. They are having problems with AutoReturn and with their work conditions. There are vehicles that leak gas or smoke. The condition of the guard shack at the front gate is bad. There are no doors to protect guards from rain and the shack has mildew and holes in the floor. There is exposed wiring inside and no running water to use for washing their hands after using the facilities. Most fire extinguishers are empty or haven't been checked in quite some time and the fire hydrants are grown over or rusting. Syringes lie on the ground along with broken glass and nails. They would like to see these items fixed.

Doug Block spoke on behalf of Tony Shillings who had to go to work. Tony is a sight supervisor. AutoReturn has just taken over the property from City Tow. There is no first aid kit at site. Tony was injured and was told that water and paper towels would take care of it. When Guardsmark heard about a petition to address these working conditions, they didn't fix the problems but grilled people about union activities. This is not a question of protecting workers. Guardsmark should be replaced with a subcontractor who is responsible.

Dan Higgins is a Guardsmark employee, working at the State Building. He has filed a lawsuit against Guardsmark. They are required to pay 85% of the benefits that the State pays their employees. Guardsmark makes token payments and disregards the law. They fail to provide meal and rest breaks, and systematically fail to pay overtime. He asks the Board to join them in telling Guardsmark to obey the law.

Deirdre Lehn, SEIU organizer, spoke about Guardsmarks' record of breaking federal laws and ignoring employee rights. Several months ago, a female security guard approached SEIU stating that she had been forced to satisfy her manager under threat of termination. A second woman claimed to have been dismissed because she refused to perform sexual favors. A third person reported these claims to Guardsmark. He was suspended and escorted out of the building. Guardsmark issued a memo saying that anyone caught speaking about sexual harassment would be fired on the spot. They have demonstrated a disregard for the laws that are supposed to

protect workers. This company shouldn't be a beneficiary of public contracts.

Paulette Msyzka is appalled that the City would spend money on a company that treats guards in such a manner. The City should do something and get a better company to run security.

Jeanne Lynch is a senior with disabilities who is appalled at what happened to her while on a bus. On her 75th birthday, a 38-Geary operator didn't pull into the curb and made no effort to lower the steps. She fell and injured her leg. Drivers are refusing to pull into the curb. Muni's sensitivity training is a waste of money. They're not complying with the rules and regulations. The Operator Rulebook isn't in an accessible format. She is a long-time community activist, serving on the Muni Accessibility Advisory Committee and the Senior Action Network. Her quality of life is endangered. Not a day goes by without phone calls from people about rude, insensitive and negligent drivers.

John Conklin, Muni operator, stated that when shortage of money was declared, people objected to the older coaches getting new colors painted on them. A decision was made to not paint those Orion buses until the budget mess was straightened out. Those buses are now being painted. Do something about cars that pull in front of a bus and then stop. Every day operators get passengers who run in front of their bus trying to get on. Some day this will result in an accident and the operator will be charged.

Barry Taranto thanked Muni for Bay to Breakers as it was a windfall for taxicabs. He wishes that operators would pull into a zone when it isn't block. A cabstand at 18th and Castro needs to be installed. PCO's don't ticket limo drivers who park in the white zone at the Omni hotel. DPT is having financial difficulties with the Taxi Commission. Exec. Director Burns owes the Board a briefing on what's happening with the Taxi Commission. Debbie Borthne is a great person and should get an award for getting groups together about taxi service at the Ballpark.

David Pilpel asked when budget would come before the Board. The budget that the Board passed included a finding that it would contribute to achieving FY05 service standards but those standards haven't been approved. When Prop. E was passed; the agency wanted three things – tools, time, and money. They received all three. It is extremely unlikely that the agency will meet on-time availability and vehicle availability. He is discouraged to hear Fred Stephens talk only now about doing a line-by line analysis as it should have happened well before now. Staff should provide narrative in the staff report to explain the issues so the Board can have a better, informed discussion. As this might be Director Casey's last meeting, thank you. Director Casey has been a diligent, independent, and thoughtful member of the Board.

Roger Bazeley observed that there is a need to increase motorist awareness of pedestrian loading and unloading zones. Areas in the middle of a street should have pedestrian tactile strips to make them more visible and safe. He commended DPT for their excellent application of materials in the ladder crosswalks. A ladder crosswalk is needed in Seacliff, close to a school. DPT should create new and clearer signage to enhance awareness of school zones. He commended DPT for a 43% drop in pedestrian fatalities.

Director Casey is extremely disturbed about the issues raised by Guardsmark employees. He is quite troubled by what he sees as a pattern. Initially, AutoReturn was reluctant to agree to card check neutrality (but should be commended for since coming around), then they were opposed to providing a living wage. Now they have hired a notorious union busting, sexual harassing, and unconscionable corporation with objectionable practices at other locations. It is incumbent upon them to have improved working conditions. He requests a report at the next meeting about these damaging and dangerous conditions. Staff needs to move with all dispatch because of the potential for liability. Workers need to be assured that their issues are answered and the Board should hold AutoReturn responsible. Chairman Vaughns commented that she is sure that Executive Director Burns and staff will look into the matter quickly and will get back to the Board.

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(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

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- E. Olga & Margarita Mikhaltchouk, Superior Ct. #415963, filed on 12/20/02 for \$28,410.63

RESOLUTION 04-064

(10.2) Authorizing the Director to apply for, accept and expend \$35,351,840 in federal Section 5309 Fixed Guideway capital assistance for: Trolley Coach Procurement; Cable Car Infrastructure Rehabilitation; MUNI Rail Replacement; Overhead Lines Reconstruction; Historic rail car Rehabilitation; Wayside Fare Collection Equipment and Metro East Maintenance Facility Construction. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-065

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RESOLUTION 04-066

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This item was removed from the agenda at the request of staff.

(10.5) Accepting the work performed under Contract No. MR-1135: Presidio & Potrero Trolley Coach Facility Modifications, approving Contract Modification No. 3, which reduces the contract amount by \$16,878.39, and approving the closeout of the contract with Jersey Constructors. (Explanatory documents include a staff report, resolution financial plan and contract modification.) (MUNI)

RESOLUTION 04-067

No public comment.

Director Din asked staff to be more cognizant as their resolutions don't always coincide with information in the staff report. For example the resolutions for Items 10.2 and 10.3 mention TEA, but there's no mention of it in either staff report. Another example is Item 10.5, where the date for the "Notice to Proceed" is stated as one date in the staff report and another in the resolution.

Chairman Vaughns echoed Director Din's sentiments. The quality of these reports needs to be improved. Staff needs to pay attention to housekeeping and become more vigilant in their quality checking to provide accurate, consistent information.

On motion to approve the Consent Calendar (Item 10.4 removed):

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Presentation and public hearing on the final results of the Municipal Transportation Quality

Review pursuant to City Charter Section 8A.107. (Explanatory documents include a staff report and audit.)

Executive Director Burns introduced the item by saying that Prop. E requires an independent contractor to perform a quality review of the MTA's goals, objectives and service standards. The Board approved a contract with Nelson/Nygaard to review the service standards for FY2001 and 2002 and to provide useful recommendations. This report has been presented to the CAC who recommends adoption. This report will also be presented to the Mayor and Board of Supervisors.

Bonnie Nelson, President of Nelson/Nygaard presented the results and recommendations of the Quality Review Audit. Prop E included 27 service standards or performance measures. These standards and measures provide a sense of trust between Muni and their riders and stakeholders. They have also been extremely important as management tools.

The goals of their review includes assessing Muni's progress, developing action plans, evaluating established goals and performance measures, assessing the potential for improving definitions, and providing independent verification to the public. In addition to the FY01 and 02 data, they also looked at some trends based on unaudited data from FY03 and 04.

Muni has done an excellent job of fulfilling its' Prop E mandate, both in terms of meeting their goals but also in honestly and accurately reporting the data. The areas where improvements are required have a consistent theme. There are many transit properties that are experiencing a double-digit decline in ridership but Muni isn't. Muni may not be meeting all its goals but Muni is holding its own in a difficult economic climate. Ten of the 27 goals were met with another 10 of the goals having seen significant progress. A small number of the goals have not been met and need additional changes to meet them.

Exec. Director Burns stated that staff will take the comments received from the CAC, the MTA Board, members of the public, and the Board of Supervisors and will address any changes made to the FY05 Service Standards when they are presented to the Board for adoption.

Chairman Vaughns requested a revised cover sheet that indicates the years that are covered by the audit. Director Kasolas asked that the recommendations be returned in the form of a matrix.

PUBLIC COMMENT:

Rafael Cabrera, TWU-250A, will miss "Director Mike". He is pleased to see this report but wonders why we have to change when something is working? We're reaching the goals so what's the sense of changing something that's not broken?

David Pilpel noted that there is a public hearing requirement but no special notice was given. When the Board hears an item like this, they should give special notice similar to what is given for service changes. This is a good report and all recommendations make sense and should be

adopted. They balance public accountability with cost. Reducing the number of traffic checkers in the Service Department will make it more difficult to measure some of these standards. He is not sure that 1A was achieved for FY01 as staff needs to average all quarters for the year and then compare it to the goal. Future reports should include more aggressive recommendations.

12. Authorizing the Director to execute a Transit Advertising contract with Viacom Outdoor, from July 1, 2004 through June 30, 2009, with a minimum total aggregate of revenue and services of \$16,175,000. (Explanatory documents include a staff report, resolution, contract and financial plan.)

Jose Cisneros, Deputy General Manager, Capital Planning and External Affairs reviewed the calendar item. Revenues are paid in one of two ways, through either a minimum annual guarantee (MAG) of revenues or a percentage of the gross revenues, whichever number is higher. Over the term of the contract, Muni is likely to receive more revenue from Viacom than from Obie because Viacom offered a higher percentage from the gross receipts. The new advertising policy that the MTA Board approved is included in the contract.

Chairman Vaughns asked Mr. Cisneros to address the issue of Obie defaulting and not meeting their financial obligations. D.G.M. Cisneros replied that staff was told this had occurred in one situation, where Obie terminated early and wasn't able to meet the minimum annual guarantee. Staff did a background check on all bidders and that information is reflected in the oral score.

PUBLIC COMMENT:

David Pilpel thanked staff for the presentation. Previously he had raised a concern about a Sunshine Ordinance provision but understands that the provision was amended into the agreement. Why wasn't that provision included in the first place? He understands that in the previous contract Muni received somewhere between \$7 and \$8 million, the minimum guarantee in this contract is \$2.7 million. This \$5 million reduction is a significant dip and will impact the budget. He questioned whether this contract would be in place by July 1 since it still has to go before the Board of Supervisors. Staff should have started the process earlier.

Andrew Gregg of Solem & Associates spoke on behalf of Obie Media. Obie contends that Muni is leaving between \$4 and \$7 million on the table. If the financial concerns about Obie were so problematic, why was the score only 1.4% different? In 1999, when the current contract was being considered, Obie was selected and asked to enter into negotiations. Later that letter was rescinded and both companies were asked to present a "best and final offer". Obie lost on dollars alone. Obie sells more ads per vehicle than any other provider. He respectfully asks the Board to revisit the selection process.

Steve Shinn, Viacom, stated that his company is excited to be nominated by the selection committee. He thanked the committee and staff for their fine work and diligence. Viacom is seeing the economy turning around, and also seeing some "sell-out" of advertising demand.

Muni will see greater revenues than the minimum annual guarantee in this contract.

Ryan Brooks, Viacom Outdoor, is disturbed to hear of Obie's complaint. This has been a duly noticed public process that included an opportunity to protest this award. Obie has sent a high-powered lobbyist rather than appear themselves. The Board should move forward with the staff recommendation. Viacom is a union, San Francisco-based company with integrity.

RESOLUTION 04-068

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

PARKING AUTHORITY

13. Authorizing the Director of the Parking Authority to issue a Request for Qualifications to identify a pool of parking consultants to assess the feasibility of the potential build out of the Performing Arts Garage at a cost not to exceed \$120,000 and accepting \$50,000 from the San Francisco Ballet, Symphony, and Opera, to be applied to the cost of the study. (Explanatory documents include a staff report, resolution and map.)

Scott Ruble, Deputy Director, Parking Authority presented the staff report.

PUBLIC COMMENT:

Jim Reuben represents the Symphony, Opera and Ballet. This request comes as a direct result of the demolition of the Central Freeway. The Performing Arts organizations draw an audience from the entire region and over 1,000 parking spaces will be lost. In addition, over 600 parking spaces are required for staff due to various union agreements. These arts organizations want to come up with a way to move workers and patrons.

RESOLUTION 04-069

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

14. Declaring the intent of the Parking Authority to reimburse certain expenditures from proceeds of future indebtedness for exploration of potential build out of the Performing Arts Garage. (Explanatory documents include a staff report and resolution.)

No public comment.

RESOLUTION 04-070

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

DEPARTMENT OF PARKING AND TRAFFIC

15. Approving the Portsmouth Plaza Parking Corporation's Fiscal Year 2004-2005 Budget and capital improvement requests for the Portsmouth Square Garage. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

Chairman Vaughns asked for an explanation about why these budgets are before the Board for a vote on May 18 when the fiscal year began on May 1. It's an insult to ask the Board to approve these items after the fact. We hope it will never happen again.

Director Din echoed the Chairman's sentiments and added that if there are extenuating circumstances, staff should let the Board know early on.

Ron Szeto, Acting Director, Parking Authority apologized for the delay. The budget process started in February and went through several iterations. He will insure that it won't happen in the future.

RESOLUTION 04-071

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

16. Approving the Downtown Parking Corporation's Fiscal Year 2004-2005 budget and capital improvement requests for the Fifth and Mission Parking Garage. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-072

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

17. Approving the Uptown Parking Corporation's Fiscal Year 2004-2005 budget and capital

improvement request for the Sutter Stockton Garage. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-073

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

18. Approving the Uptown Parking Corporation's Fiscal Year 2004-2005 budget for the Union Square Parking Garage. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-074

On motion to approve:

ADOPTED: AYES – Black, Casey, Din, Kasolas, McCray and Vaughns

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 7:08 p.m.

2. Roll Call

Present: Shirley Breyer Black (absent for Item 5)
Mike Casey
Wil Din
Michael Kasolas
James McCray, Jr. (absent for Item 5)
Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Larry Williams, Deputy General Manager, HR/LR/EEO

Fred Stephens, General Manager, Muni
Mike Hursh, Deputy General Manager, Maintenance
Wilson Johnson, Deputy General Manager, Operations
Gerald Norman, Deputy Director, DPT

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved.

4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A

To discuss:

 X Wages
 X Hours
 X Benefits
 X Working Conditions
 X Other

Director Black recused herself from Item 5 and left the closed session prior to the discussion.

5. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A, SEIU Locals 535 & 790, Electrical Workers, Local 6, TWU 200, IFPTE, Local 21, Laborers, Local 261, Municipal Executives, Stationary Engineers, Local 39, Teamsters, Local 853, Carpenters, Local 22, Painters, Local 4, Operating Engineers, Local 3, Sheet metal, Local 104, Glaziers, Local 718,

Plumbers, Local 38 and Unrepresented employees.

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 8:06 p.m.

19. Announcement of Closed Session.

Chairman Vaughns announced the Board met in closed session for a conference with their labor negotiator. She stated that Director Black recused herself from Item 5, and left the closed session prior to the discussion. There was no action taken

20. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Black, McCray-absent).

Exec. Director Burns commented that this may be Director Casey's last meeting. He wanted to take the opportunity to say that despite their occasional differences, he enjoyed working with Director Casey and thanked him for his contribution.

Director Casey responded by saying that he has really enjoyed working with management and staff and even though there were differences of opinion, people always remained civil and respectful. He has seen much progress made by the MTA.

Chairman Vaughns, speaking on behalf of the board, as well as personally, thanked Director Casey and wished him well.

ADJOURN- The meeting was adjourned at 8:08 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary



DOCUMENTS DEPT.

MAY 27 2004

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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, JUNE 1, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Mike Casey
Wil Din
Rev. Dr. James McCray, Jr.

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)

- Special Recognition Award
- Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Robin Krop, Superior Ct. #419384, filed on 4/14/03 for \$0.00
- B. Romilda Garibaldi, Superior St. #412297 filed on 9/6/02 for \$1,000
- C. Du Le Mack, Superior Ct. #415145 filed on 11/27/02 for \$1,200
- D. 21st Century Ins., Unlitigated Claim #0402432, filed on 2/24/04 for \$6,383.42
- E. Gina Hwang, Superior Ct. #188424, filed on 5/17/01 for \$7,500
- F. Nawras Marmash, Superior Ct. #417919, filed on 3/4/03 for \$8,000
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- H. Consuelo Gilla & Almira Sugatan, Superior Ct. #CGC02416163, filed on 12/27/02 for \$14,000

(10.2) Authorizing the Director to apply for, accept, and expend \$3,753,574 of Bridge Toll Net Revenues for MUNI's capital projects related to Cable Car Vehicle Renovation, Motor Coach Replacement and Rehabilitation, Paratransit Minivans, Rail Replacement, Historic Rail Car Enclosure and Bus Catalyst Devices. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.3) Authorizing the Director to apply for, accept and expend \$100,359 from the California Department of Transportation's Environmental Justice Transportation Planning Program, with a required local match of \$11,151 from Proposition K sales tax funding, to produce a comprehensive community-based pedestrian and traffic safety plan for Valencia Street. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.4) Approving the plans and specifications and authorizing the Director to advertise bid call for Contract No. MR-1212, Bay and Taylor Streets Cable Car Turntable Improvement. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.5) Recommending that the Board of Supervisors approve a five-year renewal of the Lease for the property currently serving as the Department of Parking and Traffic's Paint Shop, located at 80 Charter Oak Avenue, to commence August 1, 2004 with GENSLER FAMILY LPI as lessor, in the amount of \$8,800 per month. (Explanatory documents include a staff report, resolution, and lease.) (DPT)

(10.6) Authorizing the award of DPW Contract No. 6179A®: DPT Signal Shop Remodel Contract, to Biller McCoy Builders, as the lowest responsive and responsible bidder, for a total contract amount of \$300,020. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

(10.7) Approving McCarthy Building Companies' proposal to retain Butler Enterprises Group,, in association with Rail Quality Services and R.W. Dotson Management Consulting, as the DBE Technical Assistance Firm for Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, at no additional cost to Muni. (Explanatory documents include a staff report and resolution.) (MUNI)

(10.8) Approving the lease agreement with the Union Pacific Railroad and the Burlington Northern Santa Fe Railroad for approximately 310 feet of track at Third Street and Cargo Way for a term of 25 years, for \$10 per year, and a one-time administrative fee of \$500, for a total cost of \$750, and requiring the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Explanatory documents include a staff report, and resolution.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Approving the Municipal Railway Department's Revised FY2005 Operating Budget in the amount of \$486,033,332; approving the Department of Parking and Traffic's Revised FY2005 Operating and Capital Budget in the amount of \$75,859,976; certifying that the FY2005 budgets are adequate to make substantial progress towards meeting the goals, objectives, and performance standards; approving labor savings and reductions in the workforce; approving a new Muni paratransit passenger fare schedule to take effect on September 1, 2004; finding that the changes to paratransit fares are exempt from CEQA review; approving the fare change request to waive fares on New Year's Eve 2004, authorizing the continuance of the Class Pass program; and authorizing the implementation of short-term experimental fares; authorizing the Director to execute an agreement with BART for use of the Fast Pass on BART in San Francisco; authorizing the Director to execute an agreement with BART for Muni to accept payment from BART for providing connecting bus service to BART stations. (Explanatory documents include a staff report and resolution.)

12. Adopting the 2004 Revised Budget and Funding Plan in the amount of \$583.35 million for Phase I (Initial Operating Segment) of the Third Street Light Rail Transit Project. (Explanatory documents include a staff report, and resolution.)

13. Authorizing the award of Contract No. MR-1203, Bayview Connections, to Mitchell Engineering, as the lowest responsive and responsible bidder, for a total contract amount of \$1,188,213. (Explanatory documents include a staff report, resolution and financial plan.)

14. Approving the assignment of Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility, from the Association of AGS and Gannett Fleming to Gannett Fleming; and authorizing the Director to execute the Eighth Amendment to provide support services during the bidding and award phase of major subcontracts, in an amount not to exceed \$257,246, for a total contract amount not to exceed \$8,949,361; to extend the contract one year, for a total contract term of seven years; and to add AGS, Inc. as a subconsultant. (Explanatory documents include a staff report, amendment, resolution and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A

To discuss:

 X Wages
 X Hours
 X Benefits
 X Working Conditions
 X Other

5. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

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To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

15. Announcement of Closed Session.

16. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, JUNE 1, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

DOCUMENTS DEPT.

REGULAR MEETING
4:00 P.M.

JUN 10 2004

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CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

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Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:02 p.m.

2. Roll Call

Present: Shirley Breyer Black

Wil Din

Peter Mezey

Cleopatra Vaughns

Absent: Michael Kasolas and James McCray, Jr.

Chairman Vaughns acknowledged the presence of Director Peter Mezey and thanked him for joining the Board. She is looking forward to his wisdom and input. Director Mezey stated that it is a great honor and privilege to have been appointed and he is looking forward to working with the MTA.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the May 18, 2004 Regular Meeting: unanimously Approved (Kasolas, McCray-absent).

5. Communications

The Board Secretary announced that Items 10.7, approving the retention a DBE Technical Assistance Firm, and 10.8, approving a lease agreement with the Union Pacific Railroad and the Burlington Northern Santa Fe Railroad had been removed from the Consent Calendar at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director's Report

- Special Recognition Award
- Ongoing Activities

Executive Director Burns is pleased to present this month's Special Recognition Award to Mark Lovett. Mark began working at Muni in 1997 as an Information Clerk in the Telephone Information Center and in 2002, he became a Senior Information Clerk. He is being recognized for his work ethic, his excellent customer service skills and for being helpful with the department and his coworkers. In addition, Mark has been vital to MUNI's charity outreach working as a Captain for the AIDS Walk and participating in the American Heart Association walk-a-thon. Chairman Vaughns congratulated Mr. Lovett on behalf of the board.

Exec. Director Burns introduced Jack Fleck, newly designated by Bond Yee as Acting Deputy Director and City Traffic Engineer at DPT. He has worked at DPT since 1985 and has been involved in such projects as planning the Embarcadero roadway and the Third Street project.

In the Mayor's budget that was submitted to the Board of Supervisors, the Mayor has proposed integrating the powers and duties of the Taxi Commission into the MTA. A full briefing will be provided at the next meeting.

At last meeting, union representatives from SEIU Local 24/7 notified the MTA of their concerns regarding the hiring of Guardsmark for security services by SF AutoReturn, the City's current contractor for towing, storage and disposal services, including working conditions at Pier 70. DPT has obtained a written summary of these allegations and is conducting a full investigation. John Wicker of AutoReturn has also begun investigating these allegations and has sent a letter to the MTA Board. DPT staff continues to monitor these working conditions and will return to the board with a report on the outcome of their investigation.

On March 27, DPT, Supervisor Maxwell, the Police Department and the Senior Action Network activated a radar speed sign on Brookdale Ave. in Visitation Valley to measure speeds of passing vehicles. Another radar speed sign is also being tested. These signs have been shown to effectively reduce speeding. Once the pilot projects are complete, staff will report to the Board on their effectiveness.

8. Citizen's Advisory Council Report

There was no report.

9. Public Comment

David Tornheim stated that the CAC is not doing a good job in reporting the feelings of the public. Letters brought to the CAC about data collection and service adjustments weren't given

to the MTA Board. CAC meetings are not worth the time if they aren't listening to what the public has to say. There is legislation coming from the Board of Supervisors to restructure the power of Muni. He isn't sure of the motivation for the legislation but knows that people are concerned about losing service.

Barry Taranto welcomed Peter Mezey to the MTA Board. He was a great member of the Parking and Traffic Commission and a really good advocate for taxi drivers, pedestrians and bicyclists. He congratulated Jack Fleck adding that he always listens. On the matter of the Taxi Commission merger, the Board should hold hearings sooner rather than later on how to deal with it. DPT issues don't get as high a priority at the MTA as they did when it had its own commission. PCO's only respond when someone complains about blocked cabstands. They should automatically ticket violators without having to receive a complaint. Make sure tenants are informed of the proposed Geary and O'Farrell traffic changes.

Bruce Oka welcomed Director Mezey. He talked about an apparent "done deal" BART-Muni agreement that does not allow people who have discount stickers to ride BART within San Francisco city limits. This is a long-standing issue between the disabled community and BART. At their last meeting with BART, they got an agreement that the disabled community would be included in future negotiations of any agreement but has yet to receive that in writing.

Edward Evans, Vice Chair, MAAC, and Mayor's Disability Council thinks it's outrageous that Muni has allowed BART to disallow seniors and disabled people to ride. People would like to use BART to shop. He encourages Muni to look at the issues facing seniors and the disabled community. He has also noticed a large problem with operators using cell phones while on route. Operators are becoming less people-friendly.

Director McCray arrived.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Robin Krop, Superior Ct. #419384, filed on 4/14/03 for \$0.00
- B. Romilda Garibaldi, Superior St. #412297 filed on 9/6/02 for \$1,000
- C. Du Le Mack, Superior Ct. #415145 filed on 11/27/02 for \$1,200
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- G. Karima Baptiste, Superior Ct. #402392, filed on 12/13/01 for \$12,500
- H. Consuelo Gilla & Almira Sugatan, Superior Ct. #CGC02416163, filed on 12/27/02 for \$14,000

RESOLUTION 04-075

(10.2) Authorizing the Director to apply for, accept, and expend \$3,753,574 of Bridge Toll Net Revenues for MUNI's capital projects related to Cable Car Vehicle Renovation, Motor Coach Replacement and Rehabilitation, Paratransit Minivans, Rail Replacement, Historic Rail Car Enclosure and Bus Catalyst Devices. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-076

(10.3) Authorizing the Director to apply for, accept and expend \$100,359 from the California Department of Transportation's Environmental Justice Transportation Planning Program, with a required local match of \$11,151 from Proposition K sales tax funding, to produce a comprehensive community-based pedestrian and traffic safety plan for Valencia Street. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-077

(10.4) Approving the plans and specifications and authorizing the Director to advertise bid call for Contract No. MR-1212, Bay and Taylor Streets Cable Car Turntable Improvement. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

This item was severed from the Consent Calendar at the request of a member of the public.

PUBLIC COMMENT:

David Pilpel spoke in favor of extending this Cable Car line another two blocks to Fisherman's Wharf. To the extent that this project supports the northerly extension, he supports it.

RESOLUTION 04-078

On motion to approve Item 10.4:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT - Kasolas

(10.5) Recommending that the Board of Supervisors approve a five-year renewal of the Lease for the property currently serving as the Department of Parking and Traffic's Paint Shop, located at 80 Charter Oak Avenue, to commence August 1, 2004 with GENSLER FAMILY LPI as lessor, in the amount of \$8,800 per month. (Explanatory documents include a staff report, resolution, and lease.) (DPT)

RESOLUTION 04-079

(10.6) Authorizing the award of DPW Contract No. 6179A@: DPT Signal Shop Remodel Contract, to Biller McCoy Builders, as the lowest responsive and responsible bidder, for a total contract amount of \$300,020. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

RESOLUTION 04-080

(10.7) Approving McCarthy Building Companies' proposal to retain Butler Enterprises Group,, in association with Rail Quality Services and R.W. Dotson Management Consulting, as the DBE Technical Assistance Firm for Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, at no additional cost to Muni. (Explanatory documents include a staff report and resolution.) (MUNI)

This item was removed from the agenda at the request of staff.

(10.8) Approving the lease agreement with the Union Pacific Railroad and the Burlington Northern Santa Fe Railroad for approximately 310 feet of track at Third Street and Cargo Way for a term of 25 years, for \$10 per year, and a one-time administrative fee of \$500, for a total cost of \$750, and requiring the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Explanatory documents include a staff report, and resolution.) (MUNI)

This item was removed from the agenda at the request of staff.

No public comment.

On motion to approve the Consent Calendar (Item 10.4, 10.7 and 10.8 severed):

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Approving the Municipal Railway Department's Revised FY2005 Operating Budget in the amount of \$486,033,332; approving the Department of Parking and Traffic's Revised FY2005 Operating and Capital Budget in the amount of \$75,859,976; certifying that the FY2005 budgets are adequate to make substantial progress towards meeting the goals, objectives, and performance standards; approving labor savings and reductions in the workforce; approving a new Muni paratransit passenger fare schedule to take effect on September 1, 2004; finding that the changes to paratransit fares are exempt from CEQA review; approving the fare change request to waive fares on New Year's Eve 2004, authorizing the continuance of the Class Pass program; and authorizing the implementation of short-term experimental fares; authorizing the Director to execute an agreement with BART for use of the Fast Pass on BART in San Francisco; authorizing the Director to execute an agreement with BART for Muni to accept payment from BART for providing connecting bus service to BART stations. (Explanatory documents include a staff report and resolution.)

Executive Director Burns introduced the item by saying that when the MTA first approved the budget, it was based on January revenue and expense numbers and at the time, the Board had requested that he come back to them when there were revisions to the budget. Muni's overall budget has resulted in a \$2 million increase in revenue since that time. This approval request includes authorization for a few small capital expenditures that have their own funding sources and are not part of the operating budget. Consistent with the City, the MTA has started to notify employees who have been affected by a reduction in force. In January, the number of layoffs had been reported as 125 but given the changes to the budget, only 101 people are actually impacted. The City is eliminating 750 positions, but this only affects 550 people since 200 of the positions are vacant. It is expected that the effective date of the layoffs will be September 1. The Board had previously approved five million dollars in service adjustments. Those adjustments are the normal course of business for the MTA and staff is proceeding with the implementation of those adjustments. Since the fiscal emergency question regarding CEQA review for specific changes to the 3-Jackson, 4-Sutter and 7-Haight line didn't pass, staff has not yet made any decision about those lines. Those routes will remain in effect until a determination has been made.

Chairman Vaughns requested Board members to be cognizant and listen closely to the budget presentation to determine if it will substantially aid the MTA in reaching its goals.

Alicia Fletcher, Budget Director, reviewed Muni's budget.

Director Black asked if any of the layoffs were unfilled positions and if it was possible to get the names of the people who are being laid off. Exec. Director Burns will provide the list but asked that they be allowed to notify all the individuals first.

Julia Dawson, DD, Finance, presented the DPT budget.

PUBLIC COMMENT:

Ellen Murray, a Muni Operator, stated that the deficit was due to the loss of revenue due to corporate tax evasion and war. She is opposed to the budget. It includes \$5 million in savings due to service adjustments. A 1991 study of Muni operators revealed significant hypertension. This budget will be a significant source of stress and will result in a higher death and injury rate in operators. Don't expect to implement this budget in September without a fight.

David Tornheim is disappointed to see this budget back when it still includes service cuts. Notification to the public, done last Thursday, isn't enough. The document says the Board already approved service cuts. This is not true. At the Feb 27 hearing, the vote was taken on a preliminary budget without adequate public hearing. Now that we have ten million dollars more, why don't we take the service adjustments back? Why are we giving \$2.7 million to DPT? We don't want technology, we need service. The data is wrong.

Mike Lonergan, TWU Executive Board, suggested that the Board look closely at the budget as staff has said that things bring their own funding. Everyone knows that the city and state is in a true fiscal emergency. The MTA is using the lack of state funding as a device to lay off employees and adjust service. The operating budget is not a source of capital project funding. Local 200 members support the Third St. Project but it hasn't met the needs of the community. It's wrong to cut service and employees to compensate for a shortfall in the Third St. Project. The TransitSafe project is a failure.

Herb Panaszewicz is opposed to the elimination of the 26 line. Merchants need this line and cutting it will be a major problem. He would like to see the line continued.

Glenda Lavigne. Local 200 is concerned about her people receiving layoff letters today. Muni management told them they were going to fill unfilled positions in exchange for the 7.5% giveback. No 9139 position have been hired and there has been no exam given. Don't rubberstamp these layoffs. Labor makes government grow.

Sarita Britt, Local 200, called management's plan "penny wise and pound foolish". Can you trust managements' analysis? Shall we spend operating money on capital projects? Why transfer money from Muni's operating budget to DPT?

Herbert Weiner feels that Muni management is hell bent on wrecking service. The service cuts will wreak havoc and will result in filled buses and a glut of passengers on other buses that will make the drivers nuts. The thing that fuels Muni is contempt and there is an unending supply of that.

Stephen Gildersleeve understood that a motion to declare a fiscal emergency had been withdrawn. Now staff is saying that service adjustments were approved in February. Why the switch? Seventy-two hour notice to the public is insufficient. He has slight appreciation for the

restoration of the 7-Haight but Muni has been relying on poor data. The use of articulated buses in the Haight on weekends will be a mess.

David Pilpel appreciates that staff caught and corrected the technical changes. He made two Sunshine requests of which only one was responded to. The information provided was helpful in understanding the budget and should be provided to the public. How can the Agency certify that it's making adequate progress on fulfilling the goals if it hasn't yet adopted the FY05 service standards? He doesn't understand how the resolution can continue to refer to the 3, 4 and 7 lines if the environmental issues haven't been resolved. Language from the February 27th resolution regarding changes greater than 1% should be in this resolution. Some of the position cuts seem to make sense but it's difficult to tell without more information. There needs to be a senior operations person who is responsible for the platform budget. This item should be continued until all questions are answered.

Norman Rolfe is fascinated to see the category for the Mission-Steuart hotel. Muni has had to add buses on two lines due to the increased operating costs. For future projects, Muni needs to include fully allocated costs or they'll lose money. Check the Kirkland project very carefully as it has a chance to make money.

Rafael Cabrera stated that the declaration of the fiscal emergency did not pass but now staff is bringing back service cuts. He thought the item was off the table. The Transit First policy requires outreach to bring everybody on board.

Art Gonzalez, Business Representative for the Machinists Union is very surprised at some of the layoffs. Some of the layoffs are guys who rebuild transmissions and engines and they have worked hard to save money. These machinists can't be replaced; there is no existing infrastructure for outsourcing this work and no training facility for apprenticeships. Losing these long time employees will mean their skills will be gone.

Executive Director Burns clarified that the service cuts that require the approval of the Board, namely the 3, 4, 7 and 26 lines, aren't included as part of this action. When the fiscal emergency recommendation didn't pass, staff began to evaluate strategies to find savings either by going through an environmental review process or by some other means.

Chairman Vaughns stated that this is a difficult time and that Muni didn't get the City in this position of financial difficulty but it must support the City in resolving it. The budget process is a give and take process and it's going to hurt somewhere. She heard comments about moving numbers but that's accounting done to accommodate the MTA's focus and purpose. It's not a rubber stamp, it's a creative way to find out where you can save money and eliminate duplication. She thanked staff for their in depth analysis.

On motion to approve:

ADOPTED: AYES –Din, Mezey and Vaughns

NAYES - Black, McCray,

ABSENT – Kasolas

The motion failed.

Chairman Vaughns requested that the Board Secretary direct her to language about when a majority vote failed. The Board Secretary referred to Article 5, Section 1 of the Board's Rules of Order which states that an affirmative vote of at least four members are required for passage of any resolution.

Director Mezey asked for the legal and fiscal effect of not adopting this budget. Deputy City Attorney Friedlander replied that the budget had been previously adopted and transmitted to Mayor's office. Many of these adjustments didn't legally require approval of the MTA Board and had been previously delegated to the Executive Director for approval. The Executive Director can transmit items without any action by the Board. Executive Director Burns added that the legal interpretation may be that he had the authority to proceed but he's not sure that he's comfortable with proceeding.

12. Adopting the 2004 Revised Budget and Funding Plan in the amount of \$583.35 million for Phase I (Initial Operating Segment) of the Third Street Light Rail Transit Project. (Explanatory documents include a staff report, and resolution.)

Vince Harris, Deputy General Manager of Construction provided an update on the status of the Third Street Project and budget.

PUBLIC COMMENT:

David Pilpel would like a copy of the PowerPoint presentation. He thinks that the resolution should recap both the revenue and expense sides of the project for each segment so people could see not just how we got here but where we are.

RESOLUTION 04-0

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

13. Authorizing the award of Contract No. MR-1203, Bayview Connections, to Mitchell Engineering, as the lowest responsive and responsible bidder, for a total contract amount of \$1,188,213. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-0

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

14. Approving the assignment of Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility, from the Association of AGS and Gannett Fleming to Gannett Fleming; and authorizing the Director to execute the Eighth Amendment to provide support services during the bidding and award phase of major subcontracts, in an amount not to exceed \$257,246, for a total contract amount not to exceed \$8,949,361; to extend the contract one year, for a total contract term of seven years; and to add AGS, Inc. as a subconsultant. (Explanatory documents include a staff report, amendment, resolution and financial plan.)

No public comment.

RESOLUTION 04-0

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 6:18 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
James McCray, Jr.
Peter Mezey

Cleopatra Vaughns

Absent: Michael Kasolas

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Larry Williams, Deputy General Manager, HR/LR/EEO
Fred Stephens, General Manager, Muni
Mike Hursh, DGM, Maintenance
Wilson Johnson, DGM, Operations

Deputy City Attorney Friedlander stated that item 5 and item 6 had been calendared separately because Director Black had a conflict of interest with respect to the local 790 negotiations. It is her understanding that conditions have changed due to the ratification of the contract by SEIU Local 790 so that Director Black may remain in the closed session for item 6.

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Kasolas-absent).

4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A

To discuss:

 X Wages
 X Hours
 X Benefits
 X Working Conditions
 X Other

5. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A, SEIU Locals 535 & 790, Electrical Workers, Local 6, TWU 200, IFPTE, Local 21, Laborers, Local 261, Municipal Executives, Stationary Engineers, Local 39, Teamsters, Local 853, Carpenters, Local 22, Painters, Local 4, Operating Engineers, Local 3, Sheet metal, Local 104, Glaziers, Local 718, Plumbers, Local 38 and Unrepresented employees.

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:41 p.m.

15. Announcement of Closed Session.

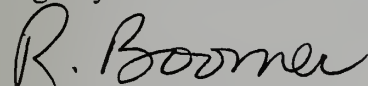
Chairman Vaughns announced the Board met in closed session for a conference with the labor negotiator. There was no action taken.

16. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Kasolas-absent).

ADJOURN - The meeting was adjourned at 6:43 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, JUNE 15, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-June 1, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members

-Report on the Policy for Installation of Speed Humps

7. Director's Report (For discussion only)

-Taxi Commission
-Sunshine Labor Agreements
-Ongoing Activities

8. Citizen's Advisory Council Report

9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Martha Zavaleta, Superior Ct. #401951, filed on 12/3/01 for \$4,500
- B. Nader Marvi, Unlitigated Claim #0402732, filed on 3/18/04 for \$5,577.57
- C. Carmen Perez De Martin, Superior Ct. #428485, filed on 2/2/04 for \$7,000
- D. Ronnie Putman, Unlitigated Claim #0402216, filed on 2/6/04 for \$7,000
- E. David Dunnell, Unlitigated Claim #0402217, filed on 2/6/04 for \$8,000
- F. Allstate Ins., Superior Ct. #CGC03422128, filed on 7/7/03 for \$15,000
- G. Gregory Bento, Superior Ct. #04429533, filed on 9/16/03 for \$15,000
- H. Lumbermen's Mutual, Superior Ct. #420985, filed on 6/2/03 for \$16,500
- I. Summer Latouf, Superior Ct. #400025, filed on 8/30/02 for \$39,000
- J. Tecla Mendoza, Superior Ct. #428485, filed on 2/2/04 for \$40,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - METERED MOTORCYCLE PARKING - 12th Street, east side, from 119 feet to 140 feet south of Kissling Street (between the driveways of the parking garage).
- B. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING (legislates existing conditions) – Broadway, both sides, from Taylor Street to 250 feet westerly Broadway, south side, from Taylor Street to Himmelman Place Green Street, north side, From Taylor Street to Mason Street, Jones Street, east side, from Vallejo Street to Filbert Street.
- C. RESCIND - NO PARKING ANYTIME – Oak Street, north side, from Masonic Avenue to 200 feet westerly.
- D. ESTABLISH - TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – Oak Street, north side, from Masonic Avenue to 300 feet westerly.
- E. RESCIND - TOW-AWAY NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - Oak Street, north side, from Ashbury Street to 100 feet easterly.
- F. ESTABLISH - ANGLE (45-DEGREE) PARKING – 25th Avenue, east side, from Noriega Street to 90 feet northerly, 25th Avenue, east side, from Noriega Street 72 feet southerly
- G. ESTABLISH - ANGLE (60-DEGREE) PARKING - Noriega Street, south side, between 24th and 25th Avenues (replacing 45-degree parking)
- H. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Lyon Street, west side, from 16 feet south of Chestnut Street to 16 feet north of Chestnut Street (100-foot zone)
- I. RESCIND - NO PARKING 9 AM - 5 PM, EXCEPT SUNDAYS, ESTABLISH, NO PARKING 8 AM - 4 PM, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - Staples Street, north side, between Phelan and Hazelwood Avenues.
- J. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Florida Street, both sides, between 22nd and 23rd Streets, 23rd Street, both sides, between Bryant and Florida Streets
- K. RESCIND - NO PARKING, 7 AM - 6 PM - Rolph Street, south side, from Mission Street to 100 feet easterly
- L. ESTABLISH - RIGHT TURN ONLY AFTER CANDLESTICK PARK EVENTS - Hawes, Ingalls and Jennings Streets, southbound, onto westbound Ingerson Avenue

- M. ESTABLISH - NO LEFT TURNS AFTER CANDLESTICK PARK EVENTS – Griffith, Hawes, Redondo, Ingalls and Jennings Streets, northbound, onto westbound Ingerson Ave.
- N. INSTALL - TRAFFIC SIGNALS - Avalon Avenue, Theresa and Mission Streets, Bryant Street at Boardman Place (Hall of Justice), California and Octavia Streets, California and Stockton Streets, Great Highway and John F. Kennedy Drive, Skyline Boulevard and Lake Merced Boulevard/Herbst Road (North).
- O. ESTABLISH - TOW-AWAY, NO STOPPING FROM 7 AM - 9 AM, MONDAY THROUGH FRIDAY, ESTABLISH - TOW-AWAY LANE MUST TURN RIGHT - Irving Street, south side, from 19th Avenue to 64 feet westerly
- P. ESTABLISH- RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM – 9 PM, MONDAY THOROUGH FRIDAY – Hill Street, both sides, between Noe and Sanchez Streets

(10.3) Authorizing the Director to apply for, accept and expend \$3,929,039 in TEA 21 Section 5309 capital assistance for Islais Creek Facility design and construction. (Explanatory documents include a staff report and resolution.) (MUNI)

(10.4) Authorizing the Director to apply for, accept, and expend \$872,525 in Bicycle Transportation Account, Bay Area Air Quality Management District, and Transportation Development Act grant funds to implement various projects and programs recommended in the San Francisco Bicycle Plan. (Explanatory documents include a staff report and resolution.) (DPT)

(10.5) Approving a bid call for DPW Contract No. 0777J: Potrero Avenue Traffic Signal Upgrade, to solicit bids from contractors qualified to upgrade existing traffic signals at the intersections of Potrero Avenue and Alameda Street, Mariposa Street and 15th through 25th Streets. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

(10.6) Approving a bid call for DPW Contract No. 0847J: Cesar Chavez Street Traffic Signal Upgrade, to solicit bids from contractors qualified to upgrade existing traffic signals at the intersections of Cesar Chavez Street and South Van Ness Avenue, Shotwell Street, Folsom Street, Harrison Street, and Bryant Street. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

(10.7) Approving the lease agreement with the Union Pacific Railroad and the Burlington Northern Santa Fe Railroad for approximately 310 feet of track at Third Street and Cargo Way for a term of 25 years, for \$10 per year, and a one-time administrative fee of \$500, for a total cost of \$750, and requiring the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.8) Approving McCarthy Building Companies' proposal to retain Butler Enterprises Group, in association with Rail Quality Services and R.W. Dotson Management Consulting, as the DBE Technical Assistance Firm for Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, at no additional cost to Muni. (Explanatory documents include a staff report and resolution.) (MUNI)

REGULAR CALENDAR

11. Approving \$10,087,677 in revisions to the FY2005 operating budget, resulting in a total budget request of \$486,033,332 for the Municipal Railway Department; \$3,232,478 in revisions to the FY2005 operating and capital budget, resulting in a total budget request of \$75,859,976 for the Department of Parking and Traffic; and re-certifying that the FY2005 budgets of the Municipal Railway Department and the Department of Parking and Traffic are adequate to make substantial progress towards meeting the goals, objectives, and performance standards. (Explanatory documents include a staff report and resolution.)

12. Adopting MTA FY2005 milestones entitled "FY2005 Proposed Changes to the Service Standards and Milestones" for both Muni and DPT. (Explanatory documents include a staff report, milestones, amendment and resolution.)

13. Adopting the performance standards as shown in "Amendment No. 4 to Section 4" dated June 15, 2004, as rules of the Agency. (Explanatory documents include a staff report, milestones, amendment and resolution.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A

To discuss:

- X Wages
- X Hours
- X Benefits
- X Working Conditions

X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

14. Announcement of Closed Session.

15. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, JUNE 15, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

DOCUMENTS DEPT.

JUL - 1 2004

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CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:04 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the June 1, 2004 Regular Meeting: unanimously approved.

5. Communications

6. Introduction of New or Unfinished Business by Board Members

-Report on the Policy for Installation of Speed Humps

Executive Director Burns stated that the Board had requested a report on the policy regarding installation of speed humps. Bond Yee, Acting Deputy Director, DPT, briefly summarized the process and policy. Chairman Vaughns noted that a written memorandum was included in the packet received by the Board last week.

Director Kasolas asked for status reports on the bike plan and the traffic-calming plan for the July 20 meeting.

7. Director's Report

- Taxi Commission
- Sunshine Labor Agreements
- Ongoing Activities

Executive Director Burns is taking the formal action required by Prop. E to sunshine labor agreements, including public disclosure of the contents of tentative agreements and a cost analysis, for at least 30 days prior to adoption by the MTA Board. The MTA reached agreement with SEIU Local 790 and TWU 250-A (7410/9132) through mediation. TWU Local 200 and IBEW Local 6 agreements were the result of arbitration awards. Copies of the agreements and cost analysis are available at 401 Van Ness and are also on the website. The MTA board will be asked to vote on these agreements at their July 20 meeting. The Board of Supervisors will approve the citywide contracts.

On Monday, June 21, at 10:00 a.m. MUNI and the Friends of the Cable Car Museum will hold the 20th Anniversary Celebration of the Rebuilding of the Cable Car System. The event will be at the Cable Car Barn. The Preliminary Competition for the 42nd Annual Cable Car Bell Ringing Contest also takes place on the 21st. The World Champion Cable Car Bell Ringer Competition will be held on Thursday, July 8th, at Noon in Union Square.

The Geary Transit Improvement Project went to the Department of Parking & Traffic Hearing on Friday, June 4th. Approximately 20 people spoke at the hearing. The most controversial issue was the removal of bus stops. Nine people spoke in opposition, and nine spoke in favor of removing the bus stops and in support of the project overall. Other speakers raised concerns about loss of parking due to the right and left turn pockets as well as the addition of tow-away hours and new truck loading zones. Several speakers urged DPT to ensure rigorous enforcement of the yellow zones to prevent double parking. The Hearing Officer approved the package of projects. This item will be before the MTA Board for approval in July. The people who attended the hearing will be notified as soon as that date is set.

On Tuesday, June 7th, the Biotech Convention was being held at Moscone Center. Street Closures on Howard Street and demonstrations by protestors impacted Muni service. Delays began around 7:00 a.m., due to protestors sitting in intersections of 3rd & 4th at Howard Street, and ended at approximately 12:45 p.m. During the evening, all routes on Market St were rerouted and PCO's were deployed to redirect traffic.

In October 2003, the MTA and the Board of Supervisors approved an increase in the contracting authority to allow the Paratransit Broker to meet increased demand for paratransit services. The Board of Supervisors approved contracting authority through FY04, but requested that we return to them to seek the remainder of the contracting authority for FY05. This request for the release of reserves is about to be heard by the Board of Supervisors. We expect this to be routine, especially in light of our ability to stay on budget within the paratransit portion of our budget. The Board of Supervisors will consider the Transit Advertising Contract next week. A Board of Supervisors

committee also considered a proposal to change the Transit Impact Development Fee. This legislation requires an additional hearing prior to adoption by the full Board of Supervisors. There is considerable support for the fee.

Jose Cisneros, Deputy General Manager, Capital Planning, reviewed the Mayor's proposal to move the powers and duties of the Taxi Commission to the MTA Board of Directors. Chairman Vaughns stated that she looks forward to this acquisition with great anticipation.

8. Citizen's Advisory Council Report

Daniel Murphy, Chairman, CAC presented the CAC's recommendations.

9. Public Comment

Glenda Lavigne is concerned about Directors who are supposed to ride the bus. Maybe the Board wouldn't get so much "negative" if Board members did ride. They should fill out a form similar to the police. Employees don't know Board members except for the Chairman and the new director who came to the divisions. You have to develop trust and see firsthand what's happening to employees.

Barry Taranto reported that he had a good conversation with a transit inspector. Not all of the colleagues of this inspector understand the needs of taxi drivers. There is \$282,000 in the budget for Consumer Assurance. Do you want staff to inspect taxi meters? It's not right to give the job that the MTA Board should be doing to a deputy director. Since taxicab drivers are working at 4:00 p.m., 6:30 p.m. is a better time to hold meetings. The DPT hearing officer should have sent back the Geary and O'Farrell traffic modifications for a compromise, as some issues weren't resolved. That hearing will be contentious and long. These modifications will allow for a taxi stand next to the Mitchell Brothers Theater.

Joseph Cowan discussed the Muni photo department. Last week a layoff notice was given to the sole staff member in that department. This was a last minute decision and was made in haste. This department includes a historic photo collection dating back to the 1880's, with over 12,000 old photographs and 45,000 contemporary photos. Neglecting this collection would be a loss to the city. Either take steps to preserve it or insure that it goes to a proper conservator.

David Tornheim, Central City Progressives, agrees with the previous speaker. Money should be invested in service rather than capital projects. He agrees that the MTA Board should ride regularly. The CAC report didn't reflect public opposition to service cuts. Supervisor Sandoval has a charter amendment to set annual salary of Director of Transportation to not exceed \$250,000. The Supervisors should approve the contract between Director and the MTA Board and the MTA budget. The Controller should administer a quality review study.

Patricia Vaughey, PADS, Cow Hollow and Marina Merchants, stated that Bond Yee coming in as the head of DPT is good because there will be someone in charge who has actually worked in department. Neighbors had no input about the speed humps in Jordan Park. Marina neighbors are on a fixed income and don't have the money for traffic calming projects. She has seen bike rack notices that were put up 150 feet away from where they were going to be installed. She has seen changes made without any neighborhood notification. There has got to be an improvement in outreach to the public.

Herbert Weiner is concerned that the proposed cutbacks will fall short of the objectives of Prop E. The motto of Muni will be "once you've missed one bus, you've missed them all". What redress will there be when things go bad? The Board will be overwhelmed. He has experienced a bus rear door slamming on him four times, which he has reported several times but has received no response. This proposal is based on the contempt of the public and hatred of drivers.

James Bryant, SEIU 790, talked about an "ecological society" of Muni. In 1993, Muni lost their sense of guidance and public confidence. The Board is laying off more employees than Frank Jordan did. You were tasked with fixing Muni but you can't write off 40 clerks and think that operations are going to get done, letters typed, or proper procedures followed. San Francisco is a Transit-First city. This is about to be lost. Men and women, clerks and mechanics are a vital part of the Railway. Take a serious look at what's going on. Muni won't be able to function without these people.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Martha Zavaleta, Superior Ct. #401951, filed on 12/3/01 for \$4,500
- B. Nader Marvi, Unlitigated Claim #0402732, filed on 3/18/04 for \$5,577.57
- C. Carmen Perez De Martin, Superior Ct. #428485, filed on 2/2/04 for \$7,000

- D. Ronnie Putman, Unlitigated Claim #0402216, filed on 2/6/04 for \$7,000
- E. David Dunnell, Unlitigated Claim #0402217, filed on 2/6/04 for \$8,000
- F. Allstate Ins., Superior Ct. #CGC03422128, filed on 7/7/03 for \$15,000
- G. Gregory Bento, Superior Ct. #04429533, filed on 9/16/03 for \$15,000
- H. Lumbermen's Mutual, Superior Ct. #420985, filed on 6/2/03 for \$16,500
- I. Summer Latouf, Superior Ct. #400025, filed on 8/30/02 for \$39,000
- J. Tecla Mendoza, Superior Ct. #428485, filed on 2/2/04 for \$40,000

RESOLUTION 04-084

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - METERED MOTORCYCLE PARKING - 12th Street, east side, from 119 feet to 140 feet south of Kissling Street (between the driveways of the parking garage).
- B. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING (legislates existing conditions) – Broadway, both sides, from Taylor Street to 250 feet westerly Broadway, south side, from Taylor Street to Himmelman Place Green Street, north side, From Taylor Street to Mason Street, Jones Street, east side, from Vallejo Street to Filbert Street.
- C. RESCIND - NO PARKING ANYTIME – Oak Street, north side, from Masonic Avenue to 200 feet westerly.
- D. ESTABLISH - TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – Oak Street, north side, from Masonic Avenue to 300 feet westerly.
- E. RESCIND - TOW-AWAY NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - Oak Street, north side, from Ashbury Street to 100 feet easterly.
- F. ESTABLISH - ANGLE (45-DEGREE) PARKING –25th Avenue, east side, from Noriega Street to 90 feet northerly, 25th Avenue, east side, from Noriega Street 72 feet southerly
- G. ESTABLISH - ANGLE (60-DEGREE) PARKING - Noriega Street, south side, between 24th and 25th Avenues (replacing 45-degree parking)
- H. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Lyon Street, west side, from 16 feet south of Chestnut Street to 16 feet north of Chestnut Street (100-foot zone)
- I. RESCIND - NO PARKING 9 AM - 5 PM, EXCEPT SUNDAYS, ESTABLISH, NO PARKING 8 AM - 4 PM, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - Staples Street, north side, between Phelan and Hazelwood Avenues.
- J. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Florida Street, both sides, between 22nd and 23rd Streets, 23rd Street, both sides, between Bryant and Florida Streets
- K. RESCIND - NO PARKING, 7 AM - 6 PM - Rolph Street, south side, from Mission Street to 100 feet easterly

- L. ESTABLISH - RIGHT TURN ONLY AFTER CANDLESTICK PARK EVENTS
- Hawes, Ingalls and Jennings Sts, southbound, onto westbound Ingerson Ave.
- M. ESTABLISH - NO LEFT TURNS AFTER CANDLESTICK PARK EVENTS –
Griffith, Hawes, Redondo, Ingalls and Jennings Streets, northbound, onto
westbound Ingerson Ave.
- N. INSTALL - TRAFFIC SIGNALS - Avalon Avenue, Theresa and Mission Streets,
Bryant Street at Boardman Place (Hall of Justice), California and Octavia Streets,
California and Stockton Streets, Great Highway and John F. Kennedy Drive,
Skyline Boulevard and Lake Merced Boulevard/Herbst Road (North).
- O. ESTABLISH - TOW-AWAY, NO STOPPING FROM 7 AM - 9 AM, MONDAY
THROUGH FRIDAY, ESTABLISH - TOW-AWAY LANE MUST TURN
RIGHT - Irving Street, south side, from 19th Avenue to 64 feet westerly
- P. ESTABLISH- RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME
LIMIT, 8 AM – 9 PM, MONDAY THOROUGH FRIDAY – Hill Street, both sides,
between Noe and Sanchez Streets

PUBLIC COMMENT:

Patricia Vaughey asked that item 10.2 H be severed. She wanted to put the Board on formal notice that neighbors don't want this traffic change to proceed. The neighbors previously requested an extension of time to present alternatives but they have been denied the right of due process. She wants to go on formal record that all 26 immediate neighbors oppose this gate.

Barry Taranto spoke about items 10.2 L and M, stating that at a recent public hearing it was agreed that taxis would be exempt from Items L and M. The legislation should state that taxis are exempt.

Jack Fleck, Deputy Director, Traffic Engineering noted that regarding the Lyon Street gate (Item H), DPT staff held three public hearings. Each one was contentious with new issues being raised at each hearing. This is located at the corner of Lyon and Chestnut Streets adjacent to new development in the Presidio. It consists of a new access gate for pedestrians and for emergency vehicles. The Presidio Trust is also providing for a pedestrian ramp that is ADA accessible. There is a 6,000-pound weight restriction on this street and there is currently a proposal to prohibit tour buses carrying more than 10 people from using this location as a drop off point. There isn't a lack of parking during the day or evening. Staff is in full compliance with the notice requirement and did review alternative designs with the neighbors and they recommend approval of this item.

As far as the taxi exemption for Items L and M, staff supports inclusion of the taxicab exemption in the resolution. Chairman Vaughns requested that the resolution be amended to include this exemption.

RESOLUTION 04-085

(10.3) Authorizing the Director to apply for, accept and expend \$3,929,039 in TEA 21

Section 5309 capital assistance for Islais Creek Facility design and construction. (Explanatory documents include a staff report and resolution.) (MUNI)

RESOLUTION 04-086

(10.4) Authorizing the Director to apply for, accept, and expend \$872,525 in Bicycle Transportation Account, Bay Area Air Quality Management District, and Transportation Development Act grant funds to implement various projects and programs recommended in the San Francisco Bicycle Plan. (Explanatory documents include a staff report and resolution.) (DPT)

RESOLUTION 04-087

(10.5) Approving a bid call for DPW Contract No. 0777J: Potrero Avenue Traffic Signal Upgrade, to solicit bids from contractors qualified to upgrade existing traffic signals at the intersections of Potrero Avenue and Alameda Street, Mariposa Street and 15th through 25th Streets. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

Director Kasolas asked that 10.5 be severed from the Consent Calendar. He asked for an explanation about this action as it relates to other traffic calming and bike lane projects. Bond Yee, acting Deputy Director, DPT noted that this action is the permanent upgrade to temporary changes made after the 1989 earthquake. It will put all wiring underground and the project is designed to be flexible so it can take bike lane installations and other potential improvements into account. Director Kasolas would like staff to address this further when they update the Board on the Bike Plan.

RESOLUTION 04-088

(10.6) Approving a bid call for DPW Contract No. 0847J: Cesar Chavez Street Traffic Signal Upgrade, to solicit bids from contractors qualified to upgrade existing traffic signals at the intersections of Cesar Chavez Street and South Van Ness Avenue, Shotwell Street, Folsom Street, Harrison Street, and Bryant Street. (Explanatory documents include a staff report, resolution and financial plan.) (DPT)

RESOLUTION 04-089

(10.7) Approving the lease agreement with the Union Pacific Railroad and the Burlington Northern Santa Fe Railroad for approximately 310 feet of track at Third Street and Cargo Way for a term of 25 years, for \$10 per year, and a one-time administrative fee of \$500, for a total cost of \$750, and requiring the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-090

(10.8) Approving McCarthy Building Companies' proposal to retain Butler Enterprises Group, in association with Rail Quality Services and R.W. Dotson Management Consulting, as the DBE Technical Assistance Firm for Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, at no additional cost to Muni. (Explanatory documents include a staff report and resolution.) (MUNI)

RESOLUTION 04-091

On motion to approve the Consent Calendar (Items 10.2 H, L, M and 10.5 severed):

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

On motion to approve Item 10.2 H:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

On motion to approve Item 10.2 L and M as amended:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

On motion to approve Item 10.5:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

REGULAR CALENDAR

11. Approving \$10,087,677 in revisions to the FY2005 operating budget, resulting in a total budget request of \$486,033,332 for the Municipal Railway Department; \$3,232,478 in revisions to the FY2005 operating and capital budget, resulting in a total budget request of \$75,859,976 for the Department of Parking and Traffic; and re-certifying that the FY2005 budgets of the Municipal Railway Department and the Department of Parking and Traffic are adequate to make substantial progress towards meeting the goals, objectives, and performance standards. (Explanatory documents include a staff report and resolution.)

Executive Director Burns stated that in February the Board requested that adjustments to the budget come back for approval by the Board. Today's action requests approval of approximately \$10 million in additional changes to the budget since the Board adopted it on February 27. Two million dollars has been added to the operations budget and the remaining eight million dollars is for capital projects. These capital projects have their own separate funding sources and are not funds that could be used for operating expenses. Including these projects in the MTA's budget request will eliminate the need for a separate supplemental appropriation request to the Board of Supervisors. DPT has seen an increase by three million dollars to their budget with some increases in revenue being offset but expenditures. The item today is not requesting Board approval for

layoffs or service adjustments. When the Board adopted the budget in February, the action included approval of a financial target for labor and service adjustments. Individuals have been notified of layoffs. As result of a recent arbitration decision, the MTA is required to lay off additional personnel. The action before the Board is approval of technical adjustments to the budget for items occurring after February 27 and through June 1.

Alicia Fletcher, Budget Director reviewed the changes in the budget.

PUBLIC COMMENT:

Ellen Murray, Muni operator, stated that these changes include a large increase in capital spending and expenditures. She is opposed to the expansion of the capital budget at the expense of the operating budget. Cutbacks in services will have a profound effect on the operators and the public. You don't reduce accidents by cutting service and by making it worse for drivers. There needs to be more money to improve the health and safety for operators.

David Pilpel suggested that the resolution be amended to state that the Board should review changes to personnel counts. Layoffs and reductions in force make sense in that they make the organization run more efficiently but it's tough to determine given the minimal level of narrative provided to the public. Staff cutbacks are disproportionate for SEIU 790. You need clerical people to run the organization. FY06 will be worse because of the way staff proposes to resolve this year's deficit. Staff should cut levels of service that don't violate service standards and where it won't impact loads.

Judy Triantos Argo is sitting in a position that is being eliminated. She has been told that her position will be contracted out to lesser-qualified personnel. Her classification requires technical knowledge of worker's compensation issues and employee rights.

Kathleen McCallum discussed layoffs. The Board should look at other possibilities such as consolidating work locations such as 875 Stevenson and 401 Van Ness. She wondered how many people making over \$75,000 are being laid off. Secretaries and clerks are needed. The board should explore and exhaust every avenue to prevent these layoffs.

Bruce Williams, Field representative for SEIU 790, spoke on behalf of all 790 workers about the failure of management to provide critical information about the layoff notices. SEIU has received no seniority lists, no list of vacant classifications and no budget information. The law requires this information to be provided in a timely manner. He asks the Board to instruct management to meet this legal requirement. If we don't receive the information by June 18, they have no choice but to go to court to seek an injunction.

Mike Lonergan, Executive Board, Local 200, thinks it's important that if you're going down the wrong path, it's not too late to change. These proposed cuts take Muni back in time seven years. The budget for Transit Supervisors is smaller than what it was in 1998

if the layoffs go into effect. The budget doesn't provide adequate money for supervision.

Milagros Roberts works at the Muni Peer Assistance Program. She has received a layoff notice for the second year in a row. Other employees in her office are out in the field all day and she is the only one in the office who is available for employees who need help. She is the lowest paid employee in that office. It doesn't make sense to lay her off to save money.

David Tornheim agrees that resolution should be amended to not allow the Executive Director to make these technical adjustments. Over 600 people made comment opposing the service cuts over the past few months, and there were a number of different meetings to discuss service adjustments with the public. Now, Burns is trying to claim that the Board's authorization was made prior to this public input. The public didn't know what was going on when the budget was voted on Feb 27th. The Board should take the power to look at the budget and say that it is unacceptable. The extra \$10 million should be used for what the public cares about. If the Board doesn't take separate action on the service cuts and layoffs, he'll have to go with the Sandoval legislation.

Carlos Colon coordinates charters and special events for Muni. There's lots of money that can be earned. We don't charge enough to charter a vehicle. When he began working with Muni in 2001, he thought the price to charter a cable car or historic vehicle was low. It's still the same price and Muni could make money by raising the fare. Staff should look at other things that can be done to increase revenue.

Dave Winters is a multi-media production specialists and one of the people being laid off. He understands the significant budget problems but sees areas where revenue can be earned. Nobody has taken him up on his suggestions. For example, Muni and DPT should be merged. There is large savings in going after workman's compensation fraud. Muni seems to be hiring people such as a Deputy General Manager of Transportation for high salaries but laying off people who make less. The historic photos are another gold mine if they are marketed.

Sylvia Alvarez Lynch stated that it's unconscionable to be hiring people while people are being laid off. She has heard that the 1824's in Finance are getting a pay raise in the amount of \$20,000. Director Burns was generous in taking his increase. Local 790 gave back 7.5% to allow him to do what was needed. The Board should look at what is being done with the money and at the top-heavy management structure created under Prop. E. If you adopt the budget, we will challenge it before the Board of Supervisors and will ask Harvey Rose to audit the MTA.

Sarita Britt, Local 200, received a letter attached to her paycheck that discusses the recent arbitration award. The language in the letter wasn't correct. Savings due to attrition and staff layoffs totals \$1,580,141.60.

Herbert Wiener retired last year as a city worker. He thinks it's cuckoo to have dreams of light rail projects while at the same time, sacking workers and putting people through

misery in the name of scientific progress. Workers and passengers should come first. Public officials who don't do their jobs should be "privatized".

Chairman Vaughns closed public comment.

Larry Williams, DGM, Human Resources stated that letters were provided to all unions requesting a meet and confer meeting regarding this item. Staff has met with several unions but SEIU 790 said that they weren't ready to meet. He doesn't agree with the representation that Muni is out of compliance with the law. The Department of Human Resources is the source of the information that SEIU has requested.

In response to a question by Director McCray, Executive Director Burns noted that the technical adjustments to the budget that have occurred between February 27 and January 1 represents less than ½ of a percent of the total budget. The budget has now been combined with the City's budget and the Board of Supervisors will be considering it over the next six weeks. They are required to vote on the budget by August 1. From a practical perspective, staff is unlikely to be able to come back to the MTA Board for additional approvals given the Board of Supervisors' timeframes. As he has done every year, he will report on every change made to the budget to the Board. The budget submitted includes the assumption that the Taxi Commission will be part of the MTA.

Chairman Vaughns stated that the information received states that no operator is being laid off as part of the FY2005 Budget. Exec. Director Burns confirmed that the information is correct.

RESOLUTION 04-092

On motion to approve:

ADOPTED: AYES – Din, Kasolas, Mezey and Vaughns

NAYES - Black and McCray

12. Adopting MTA FY2005 milestones entitled "FY2005 Proposed Changes to the Service Standards and Milestones" for both Muni and DPT. (Explanatory documents include a staff report, milestones, amendment and resolution.)

Chairman Vaughns requested that the Board Secretary call items 12 and 13 together.

Executive Director Burns stated that the FY05 goals for both Muni and DPT are similar to FY04 goals. The Board is being asked to adopt next year's goals and to modify the rules of the Agency for those goals where the Nelson/Nygaard Audit has recommended a change to the goal. In essence, the MTA is adopting the Nelson/Nygaard recommendations that can be adopted without a vote of the people. This item has been reviewed by the CAC and they have recommended adoption.

Fred Stephens, General Manager, Muni and Bond Yee, acting Deputy Director, DPT, reviewed the FY05 proposed Service Standards and Performance Measures.

Director Din commented that goals need to be meaningful and achievable and management needs to be held accountable.

Director Black stated that when the Board first received the marketing plan, it had some good ideas but she hasn't seen anything since then. Did it increase ridership? Executive Director Burns stated that ridership is directly linked to the economy. During the time period reported, ridership declined. The marketing plan may have impacted ridership so it didn't decline as much as ridership declined at other Bay Area properties. Staff recently presented the "Rolling Galleries" and the "You See/We See" initiatives that were both part of the marketing plan.

Director Mezey asked if a fully funded and working Next Bus technology would make a difference. Exec. Director Burns commented that implementing Next Bus system-wide would make a big difference. Staff is working with that company to get their system implemented. It would have a positive impact on ridership and attract people to use the service on routes where there are longer headways. The other big thing is the Translink technology, the universal fare card that will go into place in the next 2 years. It has the potential to increase connectivity with other transit systems.

Director McCray expressed a concern about needing new goals and structures if we're going to be carrying fewer passengers and with a significant workforce decline. Management and workers, working together, need to figure out now where we're really going to be in FY05 and FY06 and then figure out how we're going to get there.

Chairman Vaughns commented that these milestones compliment and take into account our existing budget. She suggested that staff start working on the FY06 budget in October.

Director Kasolas requested that any Nelson/Nygaard recommendation that wasn't being adopted be revisited in six months.

Chairman Vaughns acknowledged DPT for their stretch goals. Director Din also commended DPT for their fantastic response times.

Director McCray asked about goals for the tow contract. DPT Deputy Director Bond Yee stated that once their new contract is in place, staff will have goals to measure their effectiveness.

PUBLIC COMMENT:

David Pilpel wonders if proper notice was given about changing the rules. There are some technical changes that should be made to the resolution. The Board should get a report back on the deferred recommendations. He is concerned about not meeting Muni's July 1, 04 on-

time performance goal of 85%. He regrets that discussions about that goal weren't happening earlier. These goals don't exist in a vacuum and the budget should reflect the goals. Ridership data will be suspect for a few years because traffic checkers are being reduced. The Board should ask for a report on marketing activities and on the photographer.

Glenda Lavigne, Local 200 asked that this item be continued to the next Board meeting. Unions only met with management last Thursday. It's unfair to have so many changes with so little notice. Given these proposed layoffs, how will you meet these standards?

David Tornheim, Central City Progressives, commented that Next Bus technology is interesting but he doesn't want to see a lot of money used for technology if service is going to be cut. A goal should be added about response times for responding to complaints about parking on sidewalks. Measuring whether a bus comes early or late doesn't matter, what matters is that a bus comes every 10 minutes. Late at night, it matters that buses come regularly as opposed to how often they come. We need more measurements about lines that are overcrowded.

Chairman Vaughns closed public comment.

Chairman Vaughns asked the Executive Director if there was any thing that the Board had heard, either significant or insignificant, that would affect passage of these two calendar items this evening. Exec. Director Burns stated that Prop. E requires goals and performance standards to be in effect as of July 1. The comment made by the union is valid, however, this item follows up on an audit that was presented and available to the public weeks ago. He doesn't see a need to delay adoption and recommends that the Board proceed with the staff recommendation. If something significant develops, the Board can revisit this item.

Chairman Vaughns requested that staff make every effort to involve employee unions and other pertinent groups in advance. She also requested that the Board Secretary correct the clerical errors in the resolution that were mentioned during public comment.

RESOLUTION 04-093

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

13. Adopting the performance standards as shown in "Amendment No. 4 to Section 4" dated June 15, 2004, as rules of the Agency. (Explanatory documents include a staff report, milestones, amendment and resolution.)

(Items 12 and 13 were called together.)

RESOLUTION 04-094

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

Chairman Vaughns thanked Robert Hertan for running interference earlier in the meeting.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 7:36 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Larry Williams, Deputy General Manager, HR/LR/EEO
Fred Stephens, General Manager, Muni
Mike Hursh, Deputy General Manager, Maintenance
Wilson Johnson, Deputy General Manager, Operations

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney client privilege.

On motion to invoke the attorney-client privilege: unanimously approved.

4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Larry Williams and/or his designees

Employee Organizations:

TWU, Local 250-A

To discuss:

X Wages
X Hours
X Benefits
X Working Conditions
X Other

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 7:45 p.m.

14. Announcement of Closed Session.

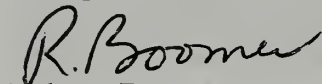
Chairman Vaughns announced the Board met in closed session for a conference with their labor negotiator. There was no action taken.

15. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved.

ADJOURN - The meeting was adjourned at 7:46 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, JULY 6, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

DOCUMENTS DEPT.

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BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-June 15, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)

- Special Recognition Award
- Legislative Update
- Sunshine Labor Agreements
- CARB Approval
- Civil Grand Jury Report
- Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a

member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. CSE Insurance, Superior Ct. #CGC03424720, filed on 9/24/03 for \$5,300
- B. Theoun Sok, Unlitigated Claim #0402025, filed on 1/20/04 for \$6,500
- C. Marcio Ortiz, Unlitigated Claim #0400019, filed on 7/2/03 for \$11,000
- D. Yelena Khash, Superior Ct. #421286, filed on 6/10/03 for \$14,250
- E. Colin Ching, Unlitigated Claim #0401296, filed on 11/3/03 for \$21,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - Lathrop Ave, south side (400-600 blocks) and Lathrop Ave, north side (600 block).
- B. EXTEND - TOW-AWAY, NO STOPPING ANYTIME - Bayshore Blvd., west side, from 220 feet to 310 feet south of Bacon St.
- C. RESCIND - NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY AND ONE-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY, 7 AM TO 6 PM, SATURDAY, EXCEPT VEHICLES WITH CARPOOL PERMITS - 4th St, east side, from Folsom St to 125 feet southerly.
- D. RESCIND - TOW-AWAY, NO STOPPING MONDAY TO FRIDAY, 7 AM TO 9 AM - Folsom St, east side, from 12th to 14th Sts; ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Folsom St, east side, from 75 feet south to 112 feet north of 13th St, and ESTABLISH - BICYCLE LANES - Folsom St, northbound, from 11th to 14th. (Explanatory documents include a staff report and resolution.) (DPT)

(10.3) Authorizing the Director to designate the following classifications as "service-critical": 0942 Manager VII; 0955 Manager VII; 5277 Planner I; 7308 Cable Splicer; 7363 Powerhouse Electrician; MA01MTA Manager I; MA02MTA Board Secretary; and MA03MTA Overhead Line Worker. (Explanatory documents include a staff report and resolution.) (MUNI)

(10.4) Authorizing the Director to submit a supplemental appropriation request for \$3,000,000 in lease-leaseback revenues to purchase from New Jersey Transit and partially restore 11 Presidents' Conference Committee streetcars. (Explanatory documents include a staff report and resolution.) (MUNI)

(10.5) Recommending that the Board of Supervisors concur with the Controller's determination that it is more economical for the Municipal Transportation Agency to contract for paratransit services than to provide the same service with City employees for the period of Fiscal Year 2004-05. (Explanatory documents include a staff report, resolution, Controller's analysis and financial plan.) (MUNI)

(10.6) Recommending that the Board of Supervisors concur with the Controller's certification that it is more economical for the Municipal Transportation Agency to contract for facility security services than to provide the same services with City and County employees for fiscal year 2004-2005. (Explanatory documents include a staff report, resolution, Controller's analysis and financial plan.) (MUNI)

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REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Adopting an overall annual goal of 26 percent for DBE contracting in Department of Transportation-assisted contracts for Federal Fiscal Year 2004-2005. (Explanatory documents include a staff report, resolution and methodology.)

DEPARTMENT OF PARKING AND TRAFFIC

12. Authorizing execution of the proposed Fourth Amendment to the Parking Citation Processing and Collection Services Agreement with PRWT Services, which grants a two-year extension of the current Agreement, commencing September 24, 2004, and increasing the contract "not to exceed" amount from \$47,200,000 to \$65,000,000. (Explanatory documents include a staff report, resolution and amendment.)

13. Authorizing the Director to execute a Cooperative Agreement with the State of California to allow Caltrans to issue Contract No. 04-171204, Lombard/Richardson Street Signal Upgrade, to upgrade 14 traffic signals on Lombard/Richardson Street (Route 101) from Franklin Street to Lyon Street, at a total contract cost not to exceed \$2,523,514. (Explanatory documents include a staff report, resolution and financial plan.)

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, JULY 6, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:01 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Peter Mezey
Cleopatra Vaughns

Absent at Roll Call: Michael Kasolas
James McCray, Jr.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the June 15, 2004 Regular Meeting: unanimously approved (Kasolas, McCray-absent).

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

Director Din requested a presentation on the Geary Corridor Transit Improvements Project. Executive Director Burns will provide a full presentation to the board on July 20th.

7. Executive Director's Report

- Special Recognition Award
- Legislative Update
- Sunshine Labor Agreements
- CARB Approval
- Civil Grand Jury Report
- Ongoing Activities

Executive Director Burns presented this month's Special Recognition Award to Rodney Blalock. Mr. Blalock has been with MUNI for 5 ½ years working as a Custodian in the Maintenance Division at Pier 80. He is a member of the Custodial Department Quality Circle Group and has been active in the Eyes and Ears Program. Mr. Blalock does a very good job as a "beat cop" for his areas of responsibility and quickly picks up on situations out of the ordinary and that may be of consequence. Recently, he took notice of a group of individuals, in and around a light rail vehicle who were acting in a suspicious manner. Mr. Blalock stated that he is honored and privileged to accept this award. For the past year, he has been living the Mission-Vision-Values statement by developing trust with his co-workers. He is proud to work for Muni. Chairman Vaughns expressed her congratulations on behalf of the Board. Your vigilance is unprecedented and we appreciate your efforts to continue to keep us safe.

The Budget Committee has forwarded the MTA budget to the Board of Supervisors. The vote is expected on July 13. The Budget Committee had a tough job this year and scrutinized every department budget. Our budget was passed out of committee without recommendation. The Board of Supervisors may adopt, reject or take no action on the budget. If they take no action, the budget will go into effect. I will continue to keep the Board advised. The budget needs eight votes to reject it. If that occurs, the budget will be returned to the MTA. A new budget will be prepared and presented to the MTA Board and Board of Supervisors for approval.

Related to the budget, last week Supervisor Daly placed a motion on the Board of Supervisors agenda asking that the budget be rejected prior to a full review. That motion was rejected by a 7-4 vote.

The Mayor introduced the Taxi Commission legislation that transferred the powers and duties of the Taxi Commission to the MTA. The Budget Committee continued the ordinance to the call of the Chairman on July 2nd. I expect they will reconsider the legislation after the budget season has ended. Staff is working with the Mayor and the former Taxi Commission Director to be prepared if the legislation passes.

On July 8, the Rules Committee will consider Supervisor Sandoval's proposed charter amendment, which changes several aspects of Proposition E. Staff is watching this matter closely and will keep the Board informed of any developments. This legislation gives line item budget control to the Board of Supervisors, sets a cap on the salary of the Executive Director and provides for auditing by the Controller.

Today the TWU, Local 250A Labor Agreement is being "sunshined". Proposition E, requires public disclosure of the contents of tentative agreements, and a cost analysis for at least 30 days prior to adoption by the MTA Board. On June 29, this contract was overwhelmingly ratified by the membership by 1123 to 415. This begins the 30-day sunshine period required prior to action by MTA board to adopt the agreement.

On June 24th the California Air Resources Board (CARB) overwhelmingly voted to modify emission standards for transit buses allowing California transit agencies to purchase diesel hybrid electric buses. This decision allows Muni to proceed with procurement of hybrid buses immediately. The decision enables Muni to procure hybrid buses and will be key to helping

Muni achieve the goals of its Clean Air Plan and ultimately reach zero emissions fleet-wide by the year 2020. Muni has made significant progress on its Clean Air Plan and has reduced particulate matter emissions by 88% to-date.

A Report by the Civil Grand Jury has been released and provided to the Board. The California Penal Code requires a response by the department and the Board of Directors within 60 days. The Board of Supervisors is required to respond within 90 days. We will provide a response once it is prepared.

On Thursday, July 8, 2004, the 42nd Annual Cable Car Bell Ringing Contest will take place at 12:00 Noon in Union Square. Seven challengers will compete for the World Champion Cable Car Bell-Ringer title. In addition, there will be a contest for six local non-profit organizations competing for prizes. The contest is sponsored by Muni, the Union Square Association, the Friends of the Cable Car Museum and ING Financial.

San Francisco AutoReturn, the interim operator of the tow contract, has terminated the services of its security sub-contractor, Guardsmark. Guardsmark has been replaced with Cal Bay Protective Services. In addition, John Wicker, President and CEO of AutoReturn, extended an invitation for a tour of the tow facilities to representatives of SEIU, Local 24/7, which lodged the original complaint against Guardsmark. The representatives were impressed by AutoReturn's efforts in improving conditions at the facilities and its responsiveness in addressing their concerns.

Director Mezey congratulated Bond Yee and DPT for their efforts to issue citations to and confiscate placards of people who use the disabled placard illegally. This has been an extremely frustrating situation. Increased enforcement is a great way to go at it.

Director Kasolas joined the meeting and asked to return to the previously completed agenda item, New or Unfinished Business. Chairman Vaughns honored his request. Director Kasolas requested that the Bike and Traffic Calming reports that had originally been requested for the July 20th meeting be moved to the August meeting. Chairman Vaughns directed staff to continue both reports to the August 10 meeting.

Director McCray joined the meeting.

8. Citizen's Advisory Council Report

Dan Murphy, Chairman, CAC presented the CAC's recommendations pertaining to the Bike Plan. The CAC is happy to hear about the CARB decision regarding the purchase of diesel hybrid vehicles. They had previously been in contact with CARB to urge them to make the change. The CAC hopes it will clear the way towards implementation of Muni's clean-air plan. The CAC has reviewed and supports the Inner Geary Project. It's a great example of being able to do an awful lot with a little money. Recently, a comment was made to the Board by a member of the public suggesting that all the CAC's recommendations weren't being presented to the Board. All recommendations are presented both verbally and in writing.

9. Public Comment

John Friedlander just wanted to say hello. He has a background in transportation and appreciates the Board's time.

John Nulty spoke about the Inner Geary Corridor proposal to remove five bus stops. This is an injustice to Muni as a whole and to the Civic Center area. This plan doesn't take into account the vast disabled population in the area. This will affect the neighborhoods' ability to access major corridors, either in- or outbound. It makes no sense to remove five stops to get to the Richmond district faster.

Richard Allman spoke about Geary Corridor Plan. He is concerned about the discontinuance of stops in one of the densest neighborhoods in San Francisco. This neighborhood justifies the frequency of bus stops. He handed a petition signed by over 300 people to the Board Secretary. There are a high number of seniors and disabled people in an area where there is steep access in and out of Geary and O'Farrell. Muni did convene a public hearing on April 14 to discuss the plan but the neighborhood wasn't unanimous in their support of the project. This plan, which will increase speeding in the neighborhood, doesn't seem to have been coordinated with DPT.

Oliver Duffy thinks that cutting five stops along Geary and O'Farrell is excessive. Some of the bus stops are being moved to the center of the block. At transfer points, this will make people hustle over ½ block to catch their connection.

Barry Taranto wanted to remind the Board that a Board of Supervisors committee realized that the Taxi Commission legislation wasn't refined enough. He doesn't know if the MTA wants it under their purview. Does the Exec. Director want to discipline cab drivers? Muni needs more inspectors. The operators on the 14-Mission take their coffee breaks together. Temporary route changes need better communication. Russian speaking riders didn't know where to catch the 22-Fillmore during the Jazz Festival. Muni needs to worry about dealing with buses that are bunched together rather than worry about cab drivers. It's important to address issues in the legislation before this merger takes place. PCO's should tag people who double park, especially during peak periods.

William Sisk, TWU-250A, stated that operators have a big problem getting into bus zones because taxi cab drivers sit there. They need to be ticketed.

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CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the

Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. CSE Insurance, Superior Ct. #CGC03424720, filed on 9/24/03 for \$5,300
- B. Theoun Sok, Unlitigated Claim #0402025, filed on 1/20/04 for \$6,500
- C. Marcio Ortiz, Unlitigated Claim #0400019, filed on 7/2/03 for \$11,000
- D. Yelena Khash, Superior Ct. #421286, filed on 6/10/03 for \$14,250
- E. Colin Ching, Unlitigated Claim #0401296, filed on 11/3/03 for \$21,000

Chairman Vaughns noted that Item 10.1D, the Yelena Khash settlement, listed a filing date as happening prior to the incident. She asked the Deputy City Attorney to provide clarification. D.C.A. Kennedy stated that it is most likely a typographical error and is not an important factor in resolving the claim. He will follow up with the appropriate staff in the City Attorney's office.

RESOLUTION 04-095

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - Lathrop Ave, south side (400-600 blocks) and Lathrop Ave, north side (600 block).
- B. EXTEND - TOW-AWAY, NO STOPPING ANYTIME - Bayshore Blvd., west side, from 220 feet to 310 feet south of Bacon St.
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- D. RESCIND - TOW-AWAY, NO STOPPING MONDAY TO FRIDAY, 7 AM TO 9 AM - Folsom St, east side, from 12th to 14th Sts; ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Folsom St, east side, from 75 feet south to 112 feet north of 13th St, and ESTABLISH - BICYCLE LANES - Folsom St, northbound, from 11th to 14th. (Explanatory documents include a staff report and resolution.) (DPT)

RESOLUTION 04-096

(10.3) Authorizing the Director to designate the following classifications as "service-critical": 0942 Manager VII; 0955 Deputy Director V; 5277 Planner I; 7308 Cable Splicer; 7363 Powerhouse Electrician; MA01 MTA Manager I; MA02 MTA Board Secretary; and MA03 MTA Overhead Line Worker. (Explanatory documents include a staff report and resolution.) (MUNI)

Item 10.3 was severed from the Consent Calendar at the request of a member of the public.

PUBLIC COMMENT:

Sylvia Lynch, SEIU 790, asked for clarification about what these duties are and why a clerical position such as the Board secretary would require designation as “service critical”. She asked if these classifications would receive merit pay and if it was included in the budget.

Chairman Vaughns stated that the Board Secretary supports the Municipal Transportation Agency. Exec. Director Burns added that one of the criteria for being designated as “service critical” is that the position regularly provides information to the public. The Board Secretary does that on a more than regular basis. Incentive pay is subject to the provisions of the various labor agreements. Staff does “meet and confer” with the affected unions prior to these designations. While the MTA would like to see the entire organization designated as “service-critical”, staff has honored the wishes of those unions who do not agree to the “service-critical” designation.

RESOLUTION 04-097

On motion to approve Item 10.3:

ADOPTED: AYES – Black, Kasolas, McCray, Mezey and Vaughns

NAYES – Din

(10.4) Authorizing the Director to submit a supplemental appropriation request for \$3,000,000 in lease-leaseback revenues to purchase from New Jersey Transit and partially restore 11 Presidents' Conference Committee streetcars. (Explanatory documents include a staff report and resolution.) (MUNI)

RESOLUTION 04-098

(10.5) Recommending that the Board of Supervisors concur with the Controller's determination that it is more economical for the Municipal Transportation Agency to contract for paratransit services than to provide the same service with City employees for the period of Fiscal Year 2004-05. (Explanatory documents include a staff report, resolution, Controller’s analysis and financial plan.) (MUNI)

RESOLUTION 04-099

(10.6) Recommending that the Board of Supervisors concur with the Controller’s certification that it is more economical for the Municipal Transportation Agency to contract for facility security services than to provide the same services with City and County employees for fiscal year 2004-2005. (Explanatory documents include a staff report, resolution, Controller’s analysis and financial plan.) (MUNI)

RESOLUTION 04-100

Chairman Vaughns stated that Items 10.5 and 10.6 appear to be late. This is unacceptable and

she will suggest that the Board not take action on late items in the future. She asked the Executive Director to be sure that staff is aware of the Board's position. Exec. Director Burns responded by saying that late submissions have been a problem but he has directed staff to have all "Prop. J" certifications complete by January. He noted that there are at least two additional certifications that will be on the July 20 calendar.

(10.7) Authorizing the Director to execute Modification No. 2 to Contract No. MR-1145, Third Street Light Rail Project: Hester Avenue to Sunnydale Avenue, with Shimmick Construction/Homer J. Olsen, to extend the time to complete the contract work from May 17, 2004 to July 9, 2004, at no cost. (Explanatory documents include a staff report, resolution and modification.) (MUNI)

RESOLUTION 04-101

No public comment.

On motion to approve the Consent Calendar (Item 10.3 severed):

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Adopting an overall annual goal of 26 percent for DBE contracting in Department of Transportation-assisted contracts for Federal Fiscal Year 2004-2005. (Explanatory documents include a staff report, resolution and methodology.)

No public comment.

RESOLUTION 04-102

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

DEPARTMENT OF PARKING AND TRAFFIC

12. Authorizing execution of the proposed Fourth Amendment to the Parking Citation Processing and Collection Services Agreement with PRWT Services, which grants a two-year extension of the current Agreement, commencing September 24, 2004, and increasing the contract "not to exceed" amount from \$47,200,000 to \$65,000,000. (Explanatory documents include a staff report, resolution and amendment.)

No public comment.

Director Mezey noted the great progress that DPT has made under this contract, both in

revenue and in the number of citations. It's been remarkable. PWRT has done a great job in collecting money for the city.

Director Din noted that the resolution number in the first "whereas" clause of the resolution does not agree with the resolution number in the staff report. Chairman Vaughns requested that the Board Secretary make sure the resolution had the correct information.

RESOLUTION 04-103

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

13. Authorizing the Director to execute a Cooperative Agreement with the State of California to allow Caltrans to issue Contract No. 04-171204, Lombard/Richardson Street Signal Upgrade, to upgrade 14 traffic signals on Lombard/Richardson Street (Route 101) from Franklin Street to Lyon Street, at a total contract cost not to exceed \$2,523,514. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

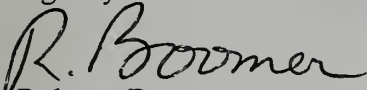
RESOLUTION 04-104

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

ADJOURN - The meeting was adjourned at 5:00 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary



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JUL 16 2004

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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, JULY 20, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524

☎ (415) 554-6896 FAX (415) 554-4143



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If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-July 6, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Executive Director's Report (For discussion only)

-Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Roman Fan, Superior Ct. # CGC02411310, filed on 8/8/02 for \$5,955 (DPT)
- B. Qui Phu Lu, Unlitigated Claim 0402468, filed on 2/26/04 for \$9,000
- C. Martin Galvan, Superior Ct. #415169, filed on 11/27/02 for \$12,000
- D. Museum West Lease at 5th & Mission Garage for \$23,032.06 (City to receive)
- E. Greta Givler, Unlitigated Claim #0401828, filed on 1/5/04 for \$55,000
- F. Lowell Argersinger, Superior Ct. # 419616, filed on 4/21/03 for \$62,500

(10.2) Approving the following traffic modifications:

- A. EXTEND - UNMETERED MOTORCYCLE PARKING –7th St., west side, from 76 feet to 97 feet north of Townsend St.
- B. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING – Baker St., east side, from Broadway to Pacific Avenue.
- C. RESCIND - 2 HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY, ESTABLISH - PARKING METERS (METER RATE AREA NO.3), 2-HR TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - Harrison St., between 6th and 7th St.
- D. ESTABLISH - UNMETERED MOTORCYCLE PARKING – Dolores St., east side, from Duncan St. to a point 19 feet southerly.
- E. EXTEND - MUNI BUS ZONE - Stockton St., between Green St. and Card Alley (rescinds meters 14170 and 14190 and extends the current bus zone by 39 feet)
- F. RESCIND - TOW-AWAY, NO STOPPING ANYTIME - 13th St., from 102 feet to 56 feet east of Folsom St.
- G. RESCIND – 1-HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY, ESTABLISH - 2-HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - Folsom St., between 11th and 13th Sts., 12th St., between Folsom and Harrison Sts.
- H. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Clarendon Avenue, north side, from Laguna Honda Boulevard to a point 100 feet easterly. (Explanatory documents include a staff report, and resolution financial plan.) (DPT)

(10.3) Recommends that the Board of Supervisors concur with the Controller's certification that it is more economical for the Municipal Transportation Agency to contract for security guard services for Fiscal Year 2004-2005 for the Department of Parking and Traffic Offices than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and Controller's certification.) (DPT)

(10.4) Recommends that the Board of Supervisors concur with the Controller's determination that it is more economical to contract for a Parking Citation Processing and Collection System for Fiscal Year 2004-2005 than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and Controller's certification.) (DPT)

(10.5) Authorizing the MTA to acknowledge and adhere to procedures and conditions set forth by the Metropolitan Transportation Commission for allocation of Regional Measure 2 funds; and to accept and expend \$30,000,000 of RM-2 funds for the MUNI Metro Third Street Light Rail Project – Phase 1, Initial Operating Segment. (Explanatory documents include a staff report, resolution, application and financial plan.) (MUNI)

(10.6) Authorizing the MTA to acknowledge and adhere to procedures and conditions set forth by the Metropolitan Transportation Commission for allocation of Regional Measure 2 funds and to accept and expend \$5,710,000 of RM-2 funds for the MUNI Waterfront Historic Streetcar Expansion (E-Line) project. (Explanatory documents include a staff report, resolution, application and financial plan.) (MUNI)

(10.7) Authorizing the Director to accept and expend \$524,160 of Transportation Fund for Clean Air Regional Funds from the Bay Area Air Quality Management District to purchase and install particulate matter traps on Muni's diesel motor coaches. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.8) Authorizing the Director to execute the Third Amendment to PCC Cars Purchase Agreement with New Jersey Transit Corporation, to reduce the number of historic streetcars being acquired from 15 to 11, for a new contract amount not to exceed \$165,000; and to change the schedule for picking up the streetcars from New Jersey Transit. (Explanatory documents include a staff report, resolution and modification.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Approving and adopting the meditated settlements establishing the amendments to the collective bargaining agreements between the Municipal Transportation Agency and SEIU Local 790 and TWU Local 250-A (7410/9132) to be effective July 1, 2004 through June 30, 2006. (Explanatory documents include a staff report, resolution and financial plan.)

12. Approving and adopting the arbitration award establishing the amendment to the collective bargaining agreement between the Municipal Transportation Agency and IBEW Local 6 to be effective July 1, 2004 through June 30, 2006. (Explanatory documents include a staff report, resolution and financial plan.)

13. Approving and adopting the arbitration award establishing no change to the collective bargaining agreement between the Municipal Transportation Agency and TWU Local 200 effective July 1, 2003 through June 30, 2005. (Explanatory documents include a staff report, resolution and financial plan.)

PARKING AUTHORITY

14. Authorizing the Director to execute the Agreement between the City and County of San Francisco and Imperial Parking for the management of the Civic Center Plaza Garage, for a term of six years commencing August 1, 2004, with extension options not to exceed four years, for a management fee of zero dollars, and with an annual incentive fee not to exceed \$100,000 per contract year. (Explanatory documents include a staff report, resolution and agreement.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Geraldine Zalkovsky, Superior Ct. #415437, filed on 12/6/02 for \$650,000

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

15. Announcement of Closed Session.
16. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, JULY 20, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:02 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Peter Mezey
Cleopatra Vaughns

Absent: Michael Kasolas
James McCray, Jr.

Chairman Vaughns stated that Director Kasolas had notified her in advance about his absence from the meeting.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the July 6, 2004 Regular Meeting: unanimously approved. (Kasolas, McCray-absent).

5. Communications

The Board Secretary announced that the two regular meetings set for August 3 and 17 have been cancelled by Chairman Vaughns. A special meeting has been set for Tuesday, April 10 at 9 a.m. Chairman Vaughns stated that she is confident that all legally required meeting notices will be posted in a timely fashion.

6. Introduction of New or Unfinished Business by Board Members

Director Din provided a list of issues to Exec. Director Burns that he would like addressed when staff presents the bike plan.

Director McCray joined the meeting.

7. Executive Director's Report

-Ongoing Activities

Executive Director Burns announced that today, the Board of Supervisors is considering adoption of the FY2005 budget for the City and County of San Francisco, including the MTA budget. They can adopt or reject the budget with eight votes or take no action, which would result in the budget becoming effective on August 1. The decision about the Taxi Commission is with the Board of Supervisors. There is no change in the status of that legislation and ongoing discussions between the Mayor and the Board are taking place.

Also being heard today at the Board of Supervisors is a charter amendment proposed by Supervisor Sandoval that would change several aspects of the MTA. The most significant change is in the area of the budget. This is a policy matter so the MTA won't take an official position on the matter.

Additionally, a new Transit Impact Development Fee Ordinance, proposed by Supervisor McGoldrick is before the Board of Supervisors for a vote. Over a year ago the MTA Board directed staff to vigorously pursue a change to this fee structure. While this measure will ultimately result in additional revenues to the MTA, it is not expected to impact the FY05 budget. Once it is fully mature, the MTA could see an increase of up to \$12 million per year. These fees are restricted by state law and cannot be used to close existing gaps in our operating budget. They can only be used to pay for new service established to serve new development and are essential to pay for the ever-increasing service demands on our organization. Thanks to the work of Supervisor McGoldrick and MTA staff, we look forward to a positive outcome on this additional alternative revenue source.

The Board of Supervisors approved the interim emergency tow contract. The final tow contract will be presented to the MTA Board in the next couple of months.

Because of the significant actions being taken at the Board, Chairman Vaughns requested E.D. Burns to please relay any information about the votes being taken immediately upon receipt.

On Thursday, July 8, 2004, the 42nd Annual Cable Car Bell Ringing Contest was held in Union Square. Seven challengers competed for the title "World Champion Cable Car Bell-Ringer". 29 year MUNI veteran, Frank Ware is the new World Champion, making it his 2nd win. Finishing 2nd was Walter Scott III and third place went to Byron Cobb, a four-time winner. The contest was sponsored by Muni, the Union Square Association, the Friends of the Cable Car Museum and ING Financial. We will invite Mr. Ware to a future meeting to demonstrate his bell ringing talent. The event had a terrific turnout. Exec. Director Burns thanked Director Din for his participation.

Exec. Director Burns introduced Joy Houlihan who has joined the MTA management team as Manager of Department of Parking and Traffic's Citation Division, starting on July 6. She has worked for the past 20 years as a Project Manager on both the business and system sides in the public sector, specializing in team building, and developing workflow efficiencies. Chairman Vaughns welcomed Ms. Houlihan to the MTA family.

Director Mezey has head that in the past, the TIDF fee wasn't always collected. Exec. Director Burns stated that there had been a problem with making sure that fees were collected. Staff worked with the Planning Department and there is a system now in place that insures that permits aren't issued until these fees have been collected. In recent years, staff has done an excellent job on collecting this fee from past developments. There are no outstanding payments due at this point.

Director Din congratulated staff for a terrific event. He noted that Director Kasolas was also in attendance.

8. Citizen's Advisory Council Report

No report was made.

9. Public Comment

Mark Brown has lived in Geary corridor since 1979. He has gone to four Steering Committee meetings regarding the deletion of bus stops. He hopes that the MTA will keep the 27-Bryant and 19-Polk transfer points, both inbound and outbound.

John Friedlander has a background in public transit as a transportation-advertising salesman. He noted that transit-advertising rates are low because public transit is a public service.

Roger Bazeley, Pedestrian Safety Advocate, feels that the structure of the MTA should reflect a more equal balance of all transit modes, including taxicabs, bicycles, and pedestrians. The Taxi Division should come under the MTA. The MTA is losing some efficiencies by not consolidating departments. He is not happy with the lack of visibility of pedestrians on Geary Blvd. Bay Street has had an excellent renovation but it remains a problem because the lane width is too narrow. The area around Pier 1 lacks good visibility. He thinks that there should be a separate grievance committee for Taxicab drivers similar to the Police Department.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Roman Fan, Superior Ct. # CGC02411310, filed on 8/8/02 for \$5,955 (DPT)
- B. Qui Phu Lu, Unlitigated Claim 0402468, filed on 2/26/04 for \$9,000
- C. Martin Galvan, Superior Ct. #415169, filed on 11/27/02 for \$12,000
- D. Museum West Lease at 5th & Mission Garage for \$23,032.06 (City to receive)
- E. Greta Givler, Unlitigated Claim #0401828, filed on 1/5/04 for \$55,000
- F. Lowell Argersinger, Superior Ct. # 419616, filed on 4/21/03 for \$62,500

RESOLUTION 04-105

(10.2) Approving the following traffic modifications:

- A. EXTEND - UNMETERED MOTORCYCLE PARKING –7th St., west side, from 76 feet to 97 feet north of Townsend St.
- B. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING – Baker St., east side, from Broadway to Pacific Avenue.
- C. RESCIND - 2 HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY, ESTABLISH - PARKING METERS (METER RATE AREA NO.3), 2-HR TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - Harrison St., between 6th and 7th St.
- D. ESTABLISH - UNMETERED MOTORCYCLE PARKING – Dolores St., east side, from Duncan St. to a point 19 feet southerly.
- E. EXTEND - MUNI BUS ZONE - Stockton St., between Green St. and Card Alley (rescinds meters 14170 and 14190 and extends the current bus zone by 39 feet)
- F. RESCIND - TOW-AWAY, NO STOPPING ANYTIME - 13th St., from 102 feet to 56 feet east of Folsom St.
- G. RESCIND – 1-HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY, ESTABLISH - 2-HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - Folsom St., between 11th and 13th Sts., 12th St., between Folsom and Harrison Sts.
- H. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Clarendon Avenue, north side, from Laguna Honda Boulevard to a point 100 feet easterly. (Explanatory documents include a staff report, and resolution financial plan.) (DPT)

RESOLUTION 04-106

(10.3) Recommends that the Board of Supervisors concur with the Controller's certification that it is more economical for the Municipal Transportation Agency to contract for security guard services for Fiscal Year 2004-2005 for the Department of Parking and Traffic Offices than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and Controller's certification.) (DPT)

RESOLUTION 04-107

(10.4) Recommends that the Board of Supervisors concur with the Controller's determination that it is more economical to contract for a Parking Citation Processing and Collection System for Fiscal Year 2004-2005 than to provide the same services with City and County employees. (Explanatory documents include a staff report, resolution and Controller's certification.) (DPT)

RESOLUTION 04-108

(10.5) Authorizing the MTA to acknowledge and adhere to procedures and conditions set forth by the Metropolitan Transportation Commission for allocation of Regional Measure 2 funds; and to accept and expend \$30,000,000 of RM-2 funds for the MUNI Metro Third Street Light Rail Project – Phase 1, Initial Operating Segment. (Explanatory documents include a staff report, resolution, application and financial plan.) (MUNI)

RESOLUTION 04-109

(10.6) Authorizing the MTA to acknowledge and adhere to procedures and conditions set forth by the Metropolitan Transportation Commission for allocation of Regional Measure 2 funds and to accept and expend \$5,710,000 of RM-2 funds for the MUNI Waterfront Historic Streetcar Expansion (E-Line) project. (Explanatory documents include a staff report, resolution, application and financial plan.) (MUNI)

RESOLUTION 04-110

(10.7) Authorizing the Director to accept and expend \$524,160 of Transportation Fund for Clean Air Regional Funds from the Bay Area Air Quality Management District to purchase and install particulate matter traps on Muni's diesel motor coaches. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-111

(10.8) Authorizing the Director to execute the Third Amendment to PCC Cars Purchase Agreement with New Jersey Transit Corporation, to reduce the number of historic streetcars being acquired from 15 to 11, for a new contract amount not to exceed \$165,000; and to change the schedule for picking up the streetcars from New Jersey Transit. (Explanatory documents include a staff report, resolution and modification.) (MUNI)

RESOLUTION 04-112

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Approving and adopting the meditated settlements establishing the amendments to the collective bargaining agreements between the Municipal Transportation Agency and SEIU Local 790 and TWU Local 250-A (7410/9132) to be effective July 1, 2004 through June 30, 2006. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-113

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

Pursuant to Chairman Vaughns' earlier request, Executive Director Burns announced that the Board of Supervisors has passed the FY05 budget for the City and County of San Francisco in its' entirety, including the MTA's budget.

12. Approving and adopting the arbitration award establishing the amendment to the collective bargaining agreement between the Municipal Transportation Agency and IBEW Local 6 to be effective July 1, 2004 through June 30, 2006. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-114

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

13. Approving and adopting the arbitration award establishing no change to the collective bargaining agreement between the Municipal Transportation Agency and TWU Local 200 effective July 1, 2003 through June 30, 2005. (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

RESOLUTION 04-115

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

Chairman Vaughns expressed the Board's appreciation to Michael Burns, Larry Williams and staff involved in the labor contract negotiations. The Board recognizes and appreciates the time and hard work that went into these expedient and successful negotiations.

PARKING AUTHORITY

14. Authorizing the Director to execute the Agreement between the City and County of San Francisco and Imperial Parking for the management of the Civic Center Plaza Garage, for a term of six years commencing August 1, 2004, with extension options not to exceed four years, for a management fee of zero dollars, and with an annual incentive fee not to exceed \$100,000 per contract year. (Explanatory documents include a staff report, resolution and agreement.)

No public comment.

RESOLUTION 04-116

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 4:35 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

Absent: Michael Kasolas

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Fred Stephens, General Manager, MUNI
Mike Hursh, Deputy General Manager, Maintenance
Wilson Johnson, Deputy General Manager, Operations

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Kasolas-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Geraldine Zalkovsky, Superior Ct. #415437, filed on 12/6/02 for \$650,000

RESOLUTION 04-117

On motion to approve:

ADOPTED: AYES – Black, Din, McCray, Mezey and Vaughns

ABSENT – Kasolas

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 4:43 p.m.

15. Announcement of Closed Session.

Chairman Vaughns announced the Board met in closed session to discuss Zalkovsky vs. CCSF with the city attorney. The board voted unanimously to settle the case (Kasolas-absent).

16. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Kasolas-absent).

ADJOURN - The meeting was adjourned at 4:47 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in dark ink, appearing to read "R. Boomer".

Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
Board of Directors
City and County of San Francisco**



NOTICE OF CANCELLATION

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TUESDAY, AUGUST 3, 2004

And

TUESDAY, AUGUST 17, 2004

ROOM 400, CITY HALL

1 CARLTON B. GOODLETT PLAZA.

**THE BOARD MEETINGS SCHEDULED FOR TUESDAY,
AUGUST 3 AND 17, 2004 HAVE BEEN CANCELLED.**

**THE MTA BOARD OF DIRECTORS WILL HOLD A
SPECIAL MEETING ON TUESDAY, AUGUST 10, 2004
AT 9:00 A.M. IN ROOM 416, CITY HALL.**



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF SPECIAL MEETING AND CALENDAR

TUESDAY, AUGUST 10, 2004
ROOM 416, CITY HALL
1 CARLTON B. GOODLETT PLACE

CLOSED SESSION
9:00 A.M.

SPECIAL MEETING
9:30 A.M.

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 416, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

9:00 a.m. - CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Coral Construction, Superior Ct. #421249, filed on 9/12/00

ADJOURN

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-July 20, 2004 Regular Meeting

5. Communications

(5.1) Announcement of Closed Session.

(5.2) Motion to disclose or not disclose the information discussed in closed session.

6. Introduction of New or Unfinished Business by Board Members

-Status Report on the Bike and Traffic Calming Plans.

7. Executive Director's Report (For discussion only)

-Special Recognition Award
-Annual Employee and Rider Surveys
-Ongoing Activities

8. Citizen's Advisory Council Report

9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Katherine Kalafate/Jonathan Andres, Superior Ct. #422886 filed on 10/14/03 for \$3,000
- B. Kaz Sobczak, Unlitigated Claim #0403580 filed on 5/19/04 for \$5,792.29
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- D. Gibson Group Trust, Anticipated Litigation, City as defendant for up to \$5,900
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- K. Deliah Mims, Superior Ct. #426204 filed on 11/7/03 for \$65,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) Capp St., both sides, between Mission and 26th Streets. (1100 block).
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) 23rd St., both sides, between Dolores and Chattanooga Streets. (3700 block), Sanchez St., both sides, between Duncan and 28th Streets. (1400 block)
- C. ESTABLISH - NO PARKING ANYTIME EXCEPT BICYCLES Grove St., north side, from 147 feet to 194 feet west of the Hyde St. crosswalk.
- D. RESCIND - GREEN (SHORT-TERM LOADING) ZONE, 9 AM - 6 PM, MONDAY THROUGH SATURDAY, ESTABLISH - GREEN (SHORT-TERM LOADING) ZONE, 8 AM - 6 PM, MONDAY THROUGH SATURDAY 18th St., north side, from Diamond St. to 48 feet westerly
- E. RESCIND - NO PARKING ANYTIME, ESTABLISH - TOW-AWAY, NO PARKING ANYTIME Mullen Drive, south side, from Peralta Ave. to Franconia St.
(Explanatory documents include a staff report and resolution.) (DPT)

(10.3) Recommending that the Board of Supervisors approve the Controller's determination that parking meter management, including coin collection and counting, can be practically performed under contract with Serco Management Systems at a lesser cost than similar work performed by employees of the City and County. (Explanatory documents include a staff report, Controller's certification and resolution.) (DPT)

(10.4) Authorizing the Director to execute Modification No. 4 to Contract No. CS-113, Professional Design and Support Services for MUNI Bus Procurement, with Cornerstone Concilium, Inc./Parsons Brinckerhoff Quade and Douglas, Inc. to extend the term of the contract by one year to September 9, 2005, without an increase in the contract amount. (Explanatory documents include a staff report, modification and resolution.) (MUNI)

(10.5) Approving plans and specifications and authorizing the Director to advertise bid call for Contract No. MR-1210, MUNI Metro System Subway Overhead Reconstruction. (Explanatory documents include a staff report, financial plan and resolution.) (MUNI)

(10.6) Authorizing the Director to execute the contract with ThyssenKrupp Elevator Company for an elevator maintenance agreement for full service elevator maintenance and repair at Church & Castro Street Stations in the Muni Metro System in an amount not to exceed \$40,000 for the first year or \$120,000 for three years with an option to extend for two additional years. (Explanatory documents include a staff report, financial plan, contract and resolution.) (MUNI)

(10.7) Accepting Contract No. MR-1125, N, L and J Lines Rail Replacement Project, approving Modification No. 9 for a reduction to the approved contract amount by \$241,523.81, approving the final contract amount of \$8,163,006.44, and approving the closeout of the contract with Mitchell Engineering. (Explanatory documents include a staff report, financial plan, contract modification and resolution.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Confirming that the capital funding plan and the operating financial plan in the "Third Street LRT Project – Phase 2 – New Central Subway - Resolution 3434 Update" represents Muni's most current knowledge about the costs of the Project and the funds committed to fully fund the capital and operating costs of the Project. (Explanatory documents include a staff report, resolution and report.)

12. Approving the Memorandum of Understanding with the Transport Workers Union Local 250-A to be effective and retroactive to July 1, 2004 through June 30, 2008. (Explanatory documents include a staff report, resolution and MOU.)

13. Fixing the wage schedule for Transit Operators, Classification 9163 as \$25.4450 per hour for Operators and \$16.0216 per hour for Operator Trainees effective July 1, 2004 and \$25.8250 per hour for Operators and \$16.2697 for Operator Trainees effective April 23, 2005. (Explanatory documents include a staff report, resolution and wage certification.)

14. Authorizing the execution of Contract No. CCO-03-883 with Brookville Equipment Company for the partial restoration of 11 Presidents Conference Committee streetcars procured from New Jersey Transit, for a price not to exceed \$3,709,168, and for a term not to exceed five years. (Explanatory documents include a staff report, resolution, financial plan and contract.)

15. Authorizing the execution of Contract No. MR-1195, Paratransit Debit Card System, with GPS Data Solutions to provide an integrated Paratransit Debit Card System for an amount not to exceed \$3,299,200 and term not to exceed six years. (Explanatory documents include a staff report, resolution, financial plan and contract.)

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

DOCUMENTS DEPT.

SEP - 2 2004

TUESDAY, AUGUST 10, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

SAN FRANCISCO
PUBLIC LIBRARY

CLOSED SESSION
9:00 A.M.

SPECIAL MEETING
9:30 A.M.

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



9:00 a.m. - CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 9:03 a.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

Absent: Peter Mezey

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Gigi Harrington, Deputy General Manager, Finance
Vince Harris, Deputy General Manager, Construction
Jose Cisneros, Deputy General Manager, External Affairs
Robin Reitzes, Deputy City Attorney
Fred Stephens, General Manager, Muni
Alicia Gamez, Deputy City Attorney's Office Intern
Nora Culver, Deputy City Attorney's Office Intern

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Mezey-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Coral Construction, Superior Ct. #421249, filed on 9/12/00

ADJOURN - The closed session was adjourned at 10:02 a.m.

9:30 a.m. – SPECIAL MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 10:12 a.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Cleopatra Vaughns

Absent: Peter Mezey

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the July 20, 2004 Regular Meeting: unanimously approved (Mezey-absent).

5. Communications

(5.1) Announcement of Closed Session.

Chairman Vaughns announced the Board met in closed session to discuss Coral Construction vs. CCSF with the city attorney. The Board took no action.

(5.2) Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Mezey-absent).

Board Secretary Boomer announced that Item 10.1 (G) was removed from the agenda at the request of the Director of Transportation. Items 10.4, 10.5, 10.6, 10.7 and 15 were removed from the calendar at the request of the Board and would be continued to the September 7 meeting.

6. Introduction of New or Unfinished Business by Board Members

Chairman Vaughns requested the participation of the Board in the Operator of the Month and Safe Driver Awards Programs. She suggested that Board members attend these events at one division for a three-month period and then transition to a different division.

-Status Report on the Bike and Traffic Calming Plans.

Executive Director Burns introduced the Traffic Calming Program, adding that the Bike Plan would be presented to the Board in September. Staff is also developing the Pedestrian Plan. All of these plans are tied into Prop. K funds.

Manito Velasco, Manager of the Traffic Calming Program, presented the Traffic Calming Program. The plan is a comprehensive, community-oriented approach designed to reduce speeding, improve safety, accommodate Muni and emergency vehicle access and improve access for bikes and pedestrians. It includes an intensive community outreach and participation process. Prior to the availability of Prop. K funds, there hasn't been a comprehensive effort to fund traffic calming projects. The Transportation Authority requested that the MTA develop a five-year plan, which is currently being developed.

Director Kasolas asked that the plan be presented to the Board by the first meeting in December and that a status report on the plan be presented two months prior. Exec. Director Burns replied that staff will present the plan in December if it's complete. If it's not ready, staff will review its status. Director Kasolas commented that it's important to keep in mind that we have serious safety issues on the streets. It's imperative for all departments to move forward as fast as possible.

Bond Yee, acting Deputy Director, DPT, reviewed the current status of the Bike Plan. There are two parts to the plan, a policy framework, which examines various components of a successful bike plan, and the network improvements, which will include site-specific projects. The environmental process has delayed the project but staff is looking for ways to speed it up. Staff is also looking to resolve potential conflicts in transit corridors where public transit and bicycles may be in conflict.

Chairman Vaughns noted that the CAC had provided a letter to the Board with recommendations for a bike plan. She inquired if staff was coordinating a response. Mr. Yee stated that they had engaged the CAC as part of this process.

Director Din asked staff to provide an explanation about the process, in particular the approval process as the project comes to fruition. Mr. Yee stated that each project impacts other agencies and community and neighborhood interests. The Technical Advisory Committee is comprised of those other interested entities that will review the plan. The MTA Board and the Board of Supervisors will also approve the plan. Plans of this nature take time to complete because of the need to build consensus. The first portion is expected to be complete in September. The second

portion is contingent on the first part as there are still issues that are being ironed out. Director Din asked for a list of TPS streets that have bike lanes.

7. Executive Director's Report

- Special Recognition Award
- Annual Employee and Rider Surveys
- Ongoing Activities

Executive Director Burns was pleased to present Stella Ong as this month's Special Recognition Award winner. Ms. Ong has been working in the Finance department for the past three years where she has demonstrated a consistent commitment and skill in anticipating what work will be needed. Her most telling attribute is her ability to maintain a positive attitude. She developed a more efficient system for developing the budget, which benefited the entire department. She is a great asset to the organization. Ms. Ong thanked Mr. Burns for the honor and recognition for her work. It's been an extremely difficult budget year but thanks to her colleagues, they were able to accomplish a meaningful and balanced budget on time. Chairman Vaughns congratulated Ms. Ong on behalf of the Board.

Recently, the Board received a memo advising of an upcoming calendar item regarding the procurement of hybrid buses. The California Air Resources Board approved diesel electric hybrid bus technology as an acceptable clean air transit bus alternative. The timeline for transit agencies to meet new state clean air standards requires taking delivery no later than Dec 31, 2006. In order to meet the deadline, MUNI has adopted an aggressive schedule for purchasing 56 hybrid forty-foot buses. This effort requires compressing a three-year procurement process into approximately 18 months. In anticipation of the CARB ruling, MUNI prepared a request for proposal (RFP) to purchase hybrid buses and is in the final stages of review. Muni plans to advertise the RFP in August, prior to presenting the completed RFP to the Board.

The Segment J Platform Finishes & Special Systems construction work currently contracted to Amelco Electric, SF is being taken over by its surety Travelers Insurance Company. Amelco encountered a cash flow problem last year and was financially supported by its surety Travelers Insurance for an extended time period. Travelers has decided to reduce its financial exposure and is "taking over" this contract. Travelers has invited companies to submit bids on the project but will execute existing contracts with the current subcontractors. As provided for in the contract, Travelers will submit the process to the MTA for approval but not their contract with a new prime. Travelers is expected to use a legitimate contractor, as they are required to meet all the requirements and obligations in the Amelco contract with us. The Board will be kept updated.

The Japantown Task Force hosted a ceremony to unveil bilingual street name signs for Japantown on Thursday, August 5. Mayor Newsom and the Consul General of Japan, Makoto Yamanaka, were in attendance. There are a total of 132 signs that were paid for through private sources. DPT assisted with the design, procurement, and installation of the signs.

On Thursday, July 22nd, over 300 Friends of H. Welton Flynn joined together at an event to honor him for more than 30 years of public service. Former San Francisco Mayor Willie L. Brown, Jr. was the Master of Ceremonies. Also in attendance were Mayor Gavin Newsom, Supervisor Maxwell, Board Chair Vaughns, Directors Din and McCray, Controller Harrington and former city assessor Doris Ward. Mr. Flynn was presented with a street sign in his name. It was a wonderful evening and a well-deserved tribute to a man of honor and great integrity. Mr. Flynn has also been selected as the first recipient of the Metropolitan Transportation Commission's "Miriam Golikely" award.

Mr. Burns recognized Larry Martin, Executive Vice President of TWU, as a long time union leader and Muni employee. Mr. Martin has been a national figure in the transit and labor movements and is now retiring. He has been a valuable partner in working to improve Muni and together they've had many successes. Exec. Director Burns recognized him for his support of Muni and the transit operators and thanked him for his efforts. Chairman Vaughns congratulated Mr. Martin on behalf of the Board.

Exec. Director Burns noted that the DPT employee survey will be presented to the Board on September 7.

David Binder presented the FY04 Employee and Customer surveys. This is his fourth year of conducting surveys. While there are some differences from year to year, in general, there has been a stabilization of opinion in both riders and employees. This year's results are similar to last year with only minor declines that are within the margin of error in some areas.

Director Kasolas asked how we compared to other agencies. Mr. Binder noted that there is no standardized methodology used within the industry. Other properties use different questions and scales. In general, the numbers and rider and employee satisfaction are on the upper end of the numbers he sees statewide. The MTA's numbers are big because things are in flux due to budget constraints.

Director Black stated her surprise that employee satisfaction wasn't much lower after the budget cuts. Mr. Binder agrees because you would expect to see a drop following budget cuts, benefit changes and layoffs. Keeping the same ratings as last year is positive, especially given the climate in which the questions were asked.

Chairman Vaughns stated that the surveys are of significant value to the Board. She hopes that staff will develop goals and objectives associated with these results for the coming year. Further, there are certain areas necessitating improvements.

Director Black called the surveys important as it lets the Board know how employees and the public feel.

Exec. Director Burns thanked Mr. Binder for his terrific work. Due to the recent voter initiative, jurisdiction over these surveys has been transferred to the Controller's office.

8. Citizen's Advisory Council Report

Daniel Murphy, Chairman, CAC, has been elected to his third term as Chairman. He introduced Steve Ferrario as the new Vice Chairman. The CAC recommends that a reminder be sent to operators about departure times as recommended in the Nelson/Nygaard study. It's important to make it clear that intermediate time frames aren't "arrive by" time frames but are "depart no earlier than" times. He reiterated that the CAC is supportive of the Inner Geary plan put forward by staff, including the removal of stops. This is an important plan for the MTA.

(Exec. Director Burns stated that a reminder to operators can be issued.)

9. Public Comment

Richard Allman noted that there was an error in the minutes of July 6 as what was reported was opposite of what he said. He is from the Tenderloin, which is a neighborhood that is most transit dependent. It should be a premier "Transit-First" neighborhood. The removal of these stops isn't an issue for people on Geary or O'Farrell but is for people accessing the stops from the north or south, up or down the hill. It's significant for seniors, people with disabilities or people carrying groceries or children. There seems to be a different plan presented depending on who the audience is. He hopes Muni will focus on the issues, will identify mitigation measures and will talk directly to the people who are affected. He would also appreciate it if there were any reports about why this is needed.

At the request of Chairman Vaughns, the Board Secretary reviewed the Sunshine Ordinance requirements relating to the posting of draft and approved minutes. The minutes are in full compliance with the Sunshine Ordinance.

John Nulty presented a petition signed by residents and business owners in the Tenderloin. The plan is appalling and isn't a positive step for the future. Muni shouldn't conduct this pilot program in the densest part of the city. Muni shouldn't use the neighborhood as a pilot program.

Michael Nulty, Alliance for a Better District 6, is opposed to the removal of bus stops on Geary and O'Farrell. Neighborhood merchants are opposed to the removal because it will impact their economic future. In addition, seniors and the disabled don't want bus shelters removed, as they want a place to sit down. He is concerned about traffic being diverted to other streets and the impact on those streets. He is concerned about preserving transit connections. He questioned the savings of one additional minute of transit time when people could still use the 38-Limited as an option. There needs to be consensus building in the community.

William Sisk, Local 250A, doesn't want bicycles interfering where buses are as they pose a danger to riders. He added that the Employee Survey was done prior to the budget cuts.

Barry Taranto agreed with Mr. Sisk about the need to allow major bus lines to proceed unimpeded. If you keep cars off community-serving streets, they will spill over to other streets so anything that impedes traffic flow, such as double parked cars, should be ticketed. Muni inspectors are ticketing cab drivers that are loading and unloading in bus zones. They should get a warning instead as a ticket is expensive. At least, the inspector should honk and let the cab driver move first. He wondered if the Friday and Saturday Broadway Tunnel closure is affecting service because it's a headache for cab drivers. Happy Labor Day.

Leah Shahum, SF Bicycle Coalition, noted that the SF Bicycle Coalition is a project partner with DPT and the Transportation Authority on the citywide bike plan update. This is a major planning process that started two years ago to update the city's plans, priorities and projects. About 30,000 people ride their bike everyday with the intent of increasing ridership to 10% of the population by 2010. People will only ride if they feel safe. There are 230 bikes per hour on Valencia during commute hours after a bike lane was added. A similar increase was seen on Polk and Arguello Streets. She is concerned about a significant schedule problem and about the plan being derailed because of a lack of leadership. Prop E requires prioritization of the Transit-First policy, which include bikes. We are in serious jeopardy of missing funds from all levels because we don't have projects ready and are severely behind schedule. Some of these projects won't be looked at until 2006 or implemented until 2009.

Glenda Lavigne, TWU-Local 200, is a bit concerned about the survey results. There are 4400 employees and 472 responded to the survey. We have been saying for the past year that things are going down. If there is a margin of error, then there was error last time. If it decreased from last year and there was room for error last year, then it's going down. At Muni, we know there are layoffs and this is bad, considering those layoffs. The people who filled out the survey are afraid to lose their job. I ride the bus every day and every bus is overly crowded and that doesn't make me happy as a rider. You shouldn't be content to say the survey looks good as you should look at what we're doing with employees, riders, Prop E and citizens. The Board needs to make sure that we're doing what we need to do.

Chairman Vaughns closed public comment. She requested clarification regarding employee survey participation and response. Exec. Director Burns stated that the survey is voluntary and anonymous.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

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- K. Deliah Mims, Superior Ct. #426204 filed on 11/7/03 for \$65,000

Item G, Paul Chasan was removed from the agenda at the request of the Executive Director.

RESOLUTION 04-118

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) Capp St., both sides, between Mission and 26th Streets. (1100 block).
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) 23rd St., both sides, between Dolores and Chattanooga Streets. (3700 block), Sanchez St., both sides, between Duncan and 28th Streets. (1400 block)
- C. ESTABLISH - NO PARKING ANYTIME EXCEPT BICYCLES Grove St., north side, from 147 feet to 194 feet west of the Hyde St. crosswalk.
- D. RESCIND - GREEN (SHORT-TERM LOADING) ZONE, 9 AM - 6 PM, MONDAY THROUGH SATURDAY, ESTABLISH - GREEN (SHORT-TERM LOADING) ZONE, 8 AM - 6 PM, MONDAY THROUGH SATURDAY 18th St., north side, from Diamond St. to 48 feet westerly
- E. RESCIND - NO PARKING ANYTIME, ESTABLISH - TOW-AWAY, NO PARKING ANYTIME Mullen Drive, south side, from Peralta Ave. to Franconia St. (Explanatory documents include a staff report and resolution.) (DPT)

RESOLUTION 04-119

(10.3) Recommending that the Board of Supervisors approve the Controller's determination that parking meter management, including coin collection and counting, can be practically performed under contract with Serco Management Systems at a lesser cost than similar work performed by employees of the City and County. (Explanatory documents include a staff report, Controller's certification and resolution.) (DPT)

RESOLUTION 04-120

(10.4) Authorizing the Director to execute Modification No. 4 to Contract No. CS-113, Professional Design and Support Services for MUNI Bus Procurement, with Cornerstone Concilium, Inc./Parsons Brinckerhoff Quade and Douglas, Inc. to extend the term of the contract by one year to September 9, 2005, without an increase in the contract amount. (Explanatory documents include a staff report, modification and resolution.) (MUNI)

(This item was continued to the September 7, 2004 meeting.)

(10.5) Approving plans and specifications and authorizing the Director to advertise bid call for Contract No. MR-1210, MUNI Metro System Subway Overhead Reconstruction. (Explanatory documents include a staff report, financial plan and resolution.) (MUNI)

(This item was continued to the September 7, 2004 meeting.)

(10.6) Authorizing the Director to execute the contract with ThyssenKrupp Elevator Company for an elevator maintenance agreement for full service elevator maintenance and repair at Church & Castro Street Stations in the Muni Metro System in an amount not to exceed \$40,000 for the first year or \$120,000 for three years with an option to extend for two additional years. (Explanatory documents include a staff report, financial plan, contract and resolution.) (MUNI)

(This item was continued to the September 7, 2004 meeting.)

(10.7) Accepting Contract No. MR-1125, N, L and J Lines Rail Replacement Project, approving Modification No. 9 for a reduction to the approved contract amount by \$241,523.81, approving the final contract amount of \$8,163,006.44, and approving the closeout of the contract with Mitchell Engineering. (Explanatory documents include a staff report, financial plan, contract modification and resolution.) (MUNI)

(This item was continued to the September 7, 2004 meeting.)

No public comment.

On motion to approve the Consent Calendar (Items 10.1(G), 10.4, 10.5, 10.6 and 10.7 severed):

ADOPTED: AYES – Black, Din, Kasolas, McCray, and Vaughns

ABSENT - Mezey

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Confirming that the capital funding plan and the operating financial plan in the “Third Street LRT Project – Phase 2 – New Central Subway - Resolution 3434 Update” represents Muni’s most current knowledge about the costs of the Project and the funds committed to fully fund the capital and operating costs of the Project. (Explanatory documents include a staff report, resolution and report.)

No public comment.

RESOLUTION 04-121

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, and Vaughns

ABSENT - Mezey

12. Approving the Memorandum of Understanding with the Transport Workers Union Local 250-A to be effective and retroactive to July 1, 2004 through June 30, 2008. (Explanatory documents include a staff report, resolution and MOU.)

No public comment.

RESOLUTION 04-122

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, and Vaughns

ABSENT - Mezey

13. Fixing the wage schedule for Transit Operators, Classification 9163 as \$25.4450 per hour for Operators and \$16.0216 per hour for Operator Trainees effective July 1, 2004 and \$25.8250 per hour for Operators and \$16.2697 for Operator Trainees effective April 23, 2005. (Explanatory documents include a staff report, resolution and wage certification.)

No public comment.

RESOLUTION 04-123

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, and Vaughns

ABSENT - Mezey

14. Authorizing the execution of Contract No. CCO-03-883 with Brookville Equipment Company for the partial restoration of 11 Presidents Conference Committee streetcars procured from New Jersey Transit, for a price not to exceed \$3,709,168, and for a term not to exceed five years. (Explanatory documents include a staff report, resolution, financial plan and contract.)

No public comment.

RESOLUTION 04-124

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, and Vaughns

ABSENT - Mezey

15. Authorizing the execution of Contract No. MR-1195, Paratransit Debit Card System, with GPS Data Solutions to provide an integrated Paratransit Debit Card System for an amount not to exceed \$3,299,200 and term not to exceed six years. (Explanatory documents include a staff report, resolution, financial plan and contract.)

(This item was continued to the September 7, 2004 meeting.)

PUBLIC COMMENT:

Barry Taranto asked the Board to carefully read the staff report and contract. This is a relatively new company that is connected to a cab company and there needs to be appropriate controls and oversight of this organization. Staff should ask for feedback from the taxi industry. We need to stop fraud but we need to know how and who executes this contract. This program should get rolling.

ADJOURN - The meeting was adjourned at 11:58 a.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

R. Boomer
Roberta Boomer
Board Secretary



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, SEPTEMBER 7, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-August 10, 2004 Special Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members

-Annual designation of Parking Authority members

7. Director's Report (For discussion only)

- Special Recognition Award
- DPT Employee Survey
- Update on Prop. 209 Injunction
- 4th Quarter Service Standards for Muni and DPT
- Ongoing Activities

8. Citizen's Advisory Council Report

9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so

requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Diane Rosenfield, Unlitigated Claim #0500100 filed on 7/12/04 for \$5606.36
- B. Janet Thompson, Superior Ct. #CGC03421478 filed on 6/17/03 for \$6,675
- C. Ronald Baker, Unlitigated Claim #0402601 filed on 3/8/04 for \$10,000
- D. Louis Podover, Unlitigated Claim #0402102 filed on 1/27/04 for \$12,000
- E. Daniel Juel, Unlitigated Claim #0402101 filed on 1/27/04 for \$15,000
- F. Conrada Dimaculangan, Superior Ct. #407422 filed on 5/1/02 for \$70,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY), 21st Avenue, both sides, between Ocean Avenue and Sloat Boulevard (2900 block) and Sloat Boulevard, south side, between 20th and 21st Avenues (400 block)
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY), 21st Street, both sides, between Dolores and Guerrero Streets (3400 block)
- C. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "U" (2--HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) 248 - 254 Ritch Street, west side, between Brannan and Bryant Streets (adds even addresses only, no permit parking signs will be posted on this block)
- D. ESTABLISH - PARKING METER AREA NO. 3, Bacon Street, north side, from San Bruno Avenue to 135 feet easterly
- E. EXTEND - MUNI BUS ZONE, Jackson Street, north side, from 100 feet to 125 feet west of Webster Street (125-foot bus zone)
- F. ESTABLISH - MUNI BUS ZONE, Folsom Street, west side, from 14th Street to 80 feet southerly (80-foot zone).
- G. ESTABLISH - MUNI BUS ZONE, Union Street, south side, from Divisadero Street to 75 feet westerly (75-foot zone)
- H. RESCIND - TOW-AWAY, NO STOPPING ANYTIME, Bacon Street, north side, from 125 to 135 feet east of San Bruno Avenue

(10.3) Accepting Contract No. MR-1124, Muni Metro Electrical Improvements Project, approving Contract Modification No. 3, for a final contract amount of \$3,803,828.34, and authorizing closeout of the contract and release of final retention in the amount of \$88,225.25 to Kingston Constructors. (Explanatory documents include a staff report, financial plan, modification and resolution.)

(10.4) Authorizing the Director to execute Modification No. 4 to Contract No. CS-113, Professional Design and Support Services for MUNI Bus Procurement, with Cornerstone Concilium, Inc./Parsons Brinckerhoff Quade and Douglas, Inc. to extend the term of the contract by one year to September 9, 2005, without an increase in the contract amount. (Explanatory documents include a staff report, modification and resolution.) (MUNI)

(This item was continued from the August 10, 2004 meeting.)

(10.5) Approving plans and specifications and authorizing the Director to advertise bid call for Contract No. MR-1210, MUNI Metro System Subway Overhead Reconstruction. (Explanatory documents include a staff report, financial plan and resolution.) (MUNI)

(This item was continued from the August 10, 2004 meeting.)

(10.6) Authorizing the Director to execute the contract with ThyssenKrupp Elevator Company for an elevator maintenance agreement for full service elevator maintenance and repair at Church & Castro Street Stations in the Muni Metro System in an amount not to exceed \$40,000 for the first year or \$120,000 for three years with an option to extend for two additional years. (Explanatory documents include a staff report, financial plan, contract and resolution.) (MUNI)

(This item was continued from the August 10, 2004 meeting.)

(10.7) Accepting Contract No. MR-1125, N, L and J Lines Rail Replacement Project, approving Modification No. 9 for a reduction to the approved contract amount by \$241,523.81, approving the final contract amount of \$8,163,006.44, and approving the closeout of the contract with Mitchell Engineering. (Explanatory documents include a staff report, financial plan, contract modification and resolution.) (MUNI)

(This item was continued from the August 10, 2004 meeting.)

(10.8) Authorizing the Director to issue a Request For Proposal to solicit proposals from vendors qualified to provide Workers' Compensation Bill Review Services and Medical Treatment Utilization Review Services. (Explanatory documents include a staff report, resolution, RFP and financial plan.) (MUNI)

(10.9) Authorizing the Director to issue a Request for Proposal and conduct a negotiated procurement for Contract No. 350, Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches. (Explanatory documents include a staff report and resolution.)

REGULAR CALENDAR

11. Approving traffic modifications on Geary and O'Farrell between Van Ness and Market Streets for the Inner Geary Transit Improvement Project:

- A. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - O'Farrell St., north side, from Van Ness Ave. to Polk St.
- B. ESTABLISH - TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Polk St. to Larkin St.
- C. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 820 O'Farrell St. at Larkin St., northwest corner, from Larkin St. to 94 feet easterly.
- D. BUS ZONE EXTENSION - 800 BLOCK OF O'FARRELL ST., ESTABLISH - TOW

AWAY NO STOPPING ANYTIME - 895 O'Farrell St. at Polk St., southeast corner, from 81 feet to 99 feet east of Polk St.

- E. ESTABLISH - TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Larkin St. to Hyde St.
- F. ESTABLISH - GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - O'Farrell St., north side, from Larkin St. to Hyde St.
- G. ESTABLISH - GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - O'Farrell St., south side, from Larkin St. to Hyde St.
- H. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 709 O'Farrell St. at Hyde St., southwest corner, from Hyde St. to 90 feet easterly.
- I. REVOKE - BUS ZONE - 799 O'Farrell St. at Larkin St., southeast corner, from Larkin St. to 100 feet easterly.
- J. REDUCTION - BUS ZONE - 683 O'Farrell St. at Hyde St., southeast corner, reducing bus zone length to 101 feet.
- K. ESTABLISH - TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Hyde St. to Leavenworth St.
- L. ESTABLISH- GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - O'Farrell St., north side, from Hyde St. to Leavenworth St.
- M. ESTABLISH - GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - O'Farrell St., south side, from Hyde St. to Leavenworth St.
- N. REVOKE - TRANSIT (CURB) LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY AT ALL TIMES - O'Farrell St., south side, between Hyde St. and Leavenworth St.
- O. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 608 O'Farrell St. at Leavenworth St., northwest corner side, from Leavenworth St. to Harlem Alley.
- P. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 501 O'Farrell St. at Jones St., southwest corner, from Jones St. to 96 feet westerly.
- Q. ESTABLISH- TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY O'Farrell St., north side, from Leavenworth St. to Jones St.
- R. ESTABLISH- GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - O'Farrell St., north side, from Leavenworth St. to Jones St.
- S. ESTABLISH - GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - O'Farrell St., south side, from Leavenworth St. to Jones St.
- T. REVOKE - TOW AWAY NO STOPPING, BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - O'Farrell St., south side, between Leavenworth and Jones St.
- U. REVOKE - BUS ZONE - 599 O'Farrell St. at Leavenworth St., southeast corner, from Leavenworth St. to 85 feet easterly.
- V. REVOKE - NO STOPPING ANYTIME, ESTABLISH - METERED YELLOW ZONE, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - "340" O'Farrell St., north side, from 245 feet to 289 feet east of Taylor St.
- W. REVOKE - NO STOPPING ANYTIME, ESTABLISH - GENERAL METERED PARKING, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - "360" O'Farrell St., north side, from 85 feet to 245 feet east of Taylor St.

- X. REVOKE - BUS ZONE (80-FOOT ZONE) - 485 O'Farrell St. at Jones St., southeast corner, from Jones St. to 80 feet easterly.
- Y. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - "451" O'Farrell St., south side, from 107 feet to 251 feet east of Jones St.
- Z. ESTABLISH - TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Jones St. to Taylor St.
- AA. REVOKE - TOW AWAY NO STOPPING ANYTIME, ESTABLISH - TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Taylor St. to Mason St.
- BB. ESTABLISH - GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, from Larkin St. to Polk St.
- CC. REVOKE - BUS ZONE - 1064 Geary St. at Van Ness Ave., northeast corner, from Van Ness Ave. to 88 feet easterly.
- DD. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 1064 Geary St. at Van Ness Ave., northeast corner, from Van Ness Ave. to 88 feet easterly.
- EE. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 1020 -1054 Geary St., north side, from 96 feet to 236 feet west of Polk St.
- FF. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 990 Geary St. at Polk St., northeast corner, from Polk St. to 100 feet easterly.
- GG. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 999 Geary St. at Polk St., southeast corner, from Polk St. to 92 feet easterly.
- HH. ESTABLISH - GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, from Hyde St. to Larkin St.
- II. ESTABLISH - GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, from Leavenworth St. to Hyde St.
- JJ. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 894 Geary St. at Larkin St., northeast corner, from Larkin St. to 57 feet easterly.
- KK. REVOKE - BUS ZONE - 798 Geary St. at Hyde St., northeast corner, from Hyde St. to 75 feet easterly.
- LL. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 700 Geary St. at Leavenworth St., northwest corner, from Leavenworth St. to 134 feet westerly.
- MM. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 795 Geary St. at Hyde St., southeast corner, from Hyde St. to 80 feet easterly.
- NN. REVOKE - BUS ZONE (75-FOOT ZONE) - 608 Geary St., at Jones St., northwest corner, from Jones St. to 75 feet westerly, and 684 Geary St. at Mason St., northeast corner, from Leavenworth St. to 75 feet easterly.
- OO. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 684 Geary St. at Leavenworth St., northeast corner, from Leavenworth St. to 90 feet easterly.
- PP. ESTABLISH - GENERAL METERED PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, between Jones St. and Leavenworth St.
- QQ. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 520 Geary St. at Taylor St., north side, from 75 feet to 100 feet west of Taylor St.
- RR. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 585 Geary St. at Jones St., southeast corner, from Jones St. to 84 feet easterly.

- SS. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 391 Geary St. at Mason St., southeast corner, from Mason St. to 82 feet easterly.
- TT. REVOKE - BUS ZONE (85-FOOT ZONE) – 430 Geary St., at Mason St., northwest corner, from Mason St. to 85 feet westerly.
- UU. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 10 Geary St., north side, from 90 feet to 130 feet west of Kearny St.
- VV. ESTABLISH - TOW AWAY NO STOPPING ANYTIME – 100 Geary St. at Grant Avenue northeast corner, from Grant Avenue to 72 feet easterly.
- WW. TRANSIT LANE - 300 BLOCK OF GEARY ST., REVOKE - TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY.
- XX. BUS ZONE EXTENSION - 300 BLOCK OF GEARY ST., ESTABLISH - TOW AWAY NO STOPPING ANYTIME -310 Geary St., north side, from 95 feet to 135 feet west of Powell St. (Explanatory documents include a staff report and resolution.)

MUNICIPAL RAILWAY

12. Authorizing the execution of Contract No. MR-1195, Paratransit Debit Card System, with GPS Data Solutions to provide an integrated Paratransit Debit Card System for an amount not to exceed \$3,299,200 and for a term not to exceed six years. (Explanatory documents include a staff report, resolution, financial plan and contract.)

(This item was continued from the August 10, 2004 meeting.)

13. Rejecting the bid received for Contract No. MR-1194, Muni Metro System and Cable Car System Rail Grinding Program from Stacy & Witbeck and authorizing sole source negotiations with Loram Maintenance of Way, for an amount not to exceed \$660,000 and for a duration not to exceed 1,123 days. (Explanatory documents include a staff report, resolution, and financial plan.)

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, SEPTEMBER 7, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

DOCUMENTS DEPT.

SEP 16 2004

BOARD OF DIRECTORS

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Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

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ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:05 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
Peter Mezey
Cleopatra Vaughns

Absent: James McCray, Jr.

At the request of Chairman Vaughns, Board Secretary Boomer announced that Director McCray had sustained injuries due to a car accident and is expected to be absent for a month to six weeks.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the August 10, 2004 Special Meeting: unanimously approved (McCray-absent).

5. Communications

6. Introduction of New or Unfinished Business by Board Members

-Annual designation of Parking Authority members

At the request of the Chairman, Board Secretary Boomer read a memo from the Chairman designating all Board members as members of the Parking Authority, as required by Prop. E. The Board also received a memo detailing the public outreach efforts associated with the increase in the sidewalk parking fine, as requested by the Board.

7. Director's Report

- Special Recognition Award
- DPT Employee Survey
- Update on Prop. 209 Injunction
- 4th Quarter Service Standards for Muni and DPT
- Ongoing Activities

Director Burns announced that Mayor Newsom had appointed Jose Cisneros to the position of City Treasurer. Jose has been an invaluable staff member and will be sworn in Wednesday, September 8, at 10 a.m. in Room 200. He wished him luck and thanked Mr. Cisneros for his years of service as a member of the MTA Board of Directors, the Parking and Traffic Commission and as a member of the MTA senior management team. Chairman Vaughns requested that the Board stand as an expression of appreciation to Mr. Cisneros for his years of service to Muni in general and to the MTA Board in particular.

Exec. Director Burns reported that Sunday, September 12, will be quite a day for traffic and transportation. There is a Grand Prix bike race, a concert in Golden Gate Park and a 49'er game. DPT and Muni staff will be out in force. These events will be a real challenge because of the number of bus lines across the city that will be affected. The costs for providing extra service by both Muni and DPT are covered. In addition, Mr. Burns reported that in response to the Bayview community's concerns, Muni has arranged a new parking plan for buses to keep them out of the community.

The Notice to Proceed was issued on August 22 for the Octavia Blvd. project. To date the contractor has removed existing trees, old freeway footings, begun the installation of various utilities and some rough grading. The contractor expects to complete the east side of the boulevard by October 2004. Upon completion, traffic will be shifted to the new road way and the contractor will begin construction of the west side of the Boulevard. Some time this fall the Contractor will begin the replacement of the Muni tracks on Market near Octavia Street. The project is on budget and is expect to be completed on time by April 2005. Due to a delay in steel delivery, the associated Central Freeway Replacement project is expect to be complete by June 2005.

Exec. Director Burns was pleased to present this month's Special Recognition Award to Alan Seigel, who is retiring from Muni after 30 years. He started at Muni in 1974 in the Telephone Information Center, has worked as Assistant Director of the Community Affairs Dept and currently serves as Acting Director of the Community Affairs Department and Media Spokesperson. Alan has excelled at numerous responsibilities, including special event signage, serving as the liaison with Central Control during emergencies, and being responsible for responding to MTA's Freedom of Information act requests. Alan Siegal thanked Mr. Burns for the recognition. Chairman Vaughns expressed her appreciation on behalf of the Board. Director Din thanked Mr. Siegal on behalf of the Asian community for his kind service.

Robin Reitzes, Deputy City Attorney, updated the Board on the status of the Prop. 209 injunction. She reported that Judge Warren issued a clarification on August 23, 2004 that stated that his decision pertained to M/WBE programs and had no relevance to federally funded DBE programs. Furthermore, the injunction only applies to locally funded contracts that were advertised or solicited for after July 26, 2004. She clarified that there was no issue with any item on the Board calendar.

Acting Deputy Director Bond Yee presented the 2nd Annual DPT Employee Survey. This survey was designed to measure job satisfaction, communication and management effectiveness and had a 20% response rate, which is very remarkable given the fact that more than half of DPT employees spend all their time in the field. Most areas show a positive trend, but we need to do a better job promoting communication between divisions.

Chairman Vaughns commented that the matrix identified "decline to state" number appeared very high. Mr. Yee suspected that it is a typographical error. They will revise the report and present to the Board.

Director Kasolas would appreciate a breakdown by division. He asked if there was a written plan for improving appreciation and communication within the department. D.D. Yee stated that communication is made more difficult given that more than half of all employees were in the field. Director Kasolas asked staff to put together a plan for improving communication and present it to the Board within sixty days.

Muni General Manager Fred Stephens presented the 4th Quarter Muni Service Standards. He announced that on-time performance was holding steady around 70%. For FY05, staff has implemented the Nelson/Nygaard Independent Audit and CAC recommendations. Staff has also begun a detailed, line-by-line analysis to determine what factors impact on-time performance.

Chairman Vaughns stated her disappointment in the 4th quarter statistics, particularly since the 3rd quarter statistics indicated an upward trend. This report is poor. Last quarter, we were assured that we would make improvements but we've seen a severe declination in on-time performance. She added that while she doesn't all have the answers, she recommended that staff continue to examine changes that must be made to improve these performance standards. She referred to the report as an embarrassment to her and to the Board of Directors, as well as not being reflective of the Board nor the MTA's hard work.

Director Din requested staff to include the number of employees within each class in the Longevity Report. G.M. Stephens will prepare an updated report to make it more comprehensive.

Director Din also requested a report on what we're doing to rectify pass-ups and overcrowding on the lines mentioned in the report.

Director Kasolas requested that the information be summarized in a matrix format so the Board can quickly see if the goal was met or not met. He added that on-time performance has been

hovering around 70% for four years and staff needs to make changes.

Director Black commented that while she has heard the comments made by her fellow directors, she wondered how you can increase the numbers given recent budget cuts. G.M. Stephens agreed, adding that morale has been affected and it's tough for people to think positively given the environment.

Director Mezey asked for clarification about the late pullouts. He would like to see information about late pullouts from the terminal added to the report. He wonders if our running times are realistic and if that could be part of the problem. G.M. Stephens stated that running times are part of the problem. Muni currently has a cooperative effort in place at each division to look at one line, as suggested by the operators, to identify impediments to staying on time. Director Mezey noticed the new federal grant monies for technology. He suggested that late pullouts could be helped if there was GPS equipment on-board each bus.

Director Din stated that an additional consideration is when operators must stop to pick up a person in a wheelchair. While it's important to serve those customers, the operator shouldn't be penalized for not being on time.

G.M. Stephens stated that he is embarrassed by the report and is frustrated and anxious to make improvements. In the 11 runs evaluated, one large issue is the time it takes to board passengers in wheelchairs. Staff is trying to figure out how to take that into account but a new scheduling system coming on-line will help. Muni's disproportionate number of elderly passengers also needs to be taken into account.

Director Kasolas asked what other agencies were doing to meet their on-time performance goal. It's important to see what other agencies are doing so the Board can determine if Muni's goal is achievable. Exec. Director Burns reminded the Director that Nelson/Nygaard did look into that but concluded that one agency can't be compared to another. Staff followed up on the suggestion that Vancouver may be comparable and discovered that they are on the 70% range.

Chairman Vaughns stated that Muni employees are smart enough to make improvements. Exec. Director Burns recognized that performance has reached a plateau or has declined in some cases. Staff will be taking aggressive actions. He added that this goal is not only Mr. Stephens' or his goal, but is everyone's goal. He also pointed out that the budget situation does have an impact. The trolley fleet is now accessible and needs to have their running times adjusted. Adjusting the running times doesn't simply mean adding more time to every run because doing that would be considerably more expensive. Staff is looking to performance measures such as those in the Geary Corridor plan to help in this effort

Chairman Vaughns expressed her desire for staff to collaborate with labor, in an inclusive effort, to improve the service and performance standards. She further stated that a collaborative effort crucial to improving the system.

Acting Deputy Director Bond Yee presented the 4th Quarter DPT Service Standards Report.

Director Kasolas requested the same matrix summary as he requested from Muni.

Director Din asked if there were procedures in place to take care of people standing in line. He added that he has stood in lines that exceed the 30-minute goal. D.D. Yee noted that staff could do a better job of deployment during times when there is increased public demand.

Exec. Director Burns continued the security report to the next meeting out of respect to the people who were waiting for the Geary Corridor item.

8. Citizen's Advisory Council Report

Dan Murphy, CAC Chairman, presented two recommendations of the CAC. The first recommendation is to study the possibility of having a Parking Impact Development Fee to help defray the cost of additional cars in the city. These fees would be assessed on new parking development. The CAC also recommended that the MTA advocate for the restoration of the pre-1998 vehicle license fee rate. In difficult budget years, and given the difficulty of finding new revenue sources, the higher vehicle license fee rate would be a good thing. He also called the Board's attention to a previous CAC recommendation to adopt all of the Nelson/Nygaard recommendations. He also underscored the CAC's recommended adoption of the Inner Geary plan, including the removal of bus stops as it ties into on-time performance. Bus Rapid Transit is a more efficient way to allocate resources and the Geary project has a lot of benefit for transit riders. He congratulated Jose Cisneros and noted that it was a great pleasure to work with him.

9. Public Comment

Mark Brown stated that on the new buses, people who are mobility impaired can't board through the rear doors because the panic handle doesn't work from the outside.

John Friedlander commented that he uses buses all over the city and that he has seen the problems diminish. The Board needs to be recognized and appreciated for their good work.

Barry Taranto congratulated Mr. Cisneros, calling his appointment an asset to the city. Traffic in the Van Ness/Franklin corridor is atrocious. Light timing on Van Ness is atrocious. There are some real PCO heroes at the ballpark but they prevent cabs from making a right turn on 3rd St. Limousines are parked everywhere, and Kevin Lee doesn't do anything about it. He requests a dedicated hearing officer to deal with taxi drivers who get ticketed. The Cable Car division should ask the police to deal with illegal turns on Powell St. DPT should do better enforcement of violations of construction zones.

Bill Sisk, President, Local 250-A, stated that they were currently in "schedule negotiation" and that the item would be coming to the Board. Staff is having trouble with the equipment and his members are getting tired of double or triple headways. The Board should take a close look at the service cuts as it's going to get worse. He hopes that staff can sit down with TWU to work it

out because you can't put a hot dog in a skillet and pull out a steak.

David Pilpel stated that Alan Siegal was one of first people he met at Muni and he has always been helpful and a dedicated public servant. The 4th Quarter Service Standards Report indicates that the figures provided represent the entire year, which is incorrect. The annual performance should be the average of all four quarters. With respect to Item 10.5, the subway overhead project, he commented that it will impact subway service and he hopes that there will be significant public outreach prior to construction. He encouraged the MTA to think proactively about public notice prior to construction. He also stated that the extent to which employees are not laid off, and savings due to service adjustments aren't achieved, will make the budget situation worse. The Board should ask staff to come back early and often to report on the current year budget. For the FY06 budget, if we're thinking about cutting service or raising fares, there needs to be a policy level discussion in the Fall prior to receipt of the budget details in January.

David Tornheim, Central City Progressives, commented that it looks like service is not improving. He reminded everyone that while the budget increased, service was reduced to save 6-7 million dollars. If Muni isn't meeting their scheduled time, buses will be packed. He questioned the Board's priorities given that China Basin is exempt from the TIDF fee. He has heard that operators are not signing up due to recent service cuts.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Diane Rosenfield, Unlitigated Claim #0500100 filed on 7/12/04 for \$5606.36
- B. Janet Thompson, Superior Ct. #CGC03421478 filed on 6/17/03 for \$6,675
- C. Ronald Baker, Unlitigated Claim #0402601 filed on 3/8/04 for \$10,000
- D. Louis Podover, Unlitigated Claim #0402102 filed on 1/27/04 for \$12,000
- E. Daniel Juel, Unlitigated Claim #0402101 filed on 1/27/04 for \$15,000
- F. Conrada Dimaculangan, Superior Ct. #407422 filed on 5/1/02 for \$70,000

Board Secretary Boomer announced that the Rosenfield and Thompson cases (Items A and B) were pulled and continued to the next meeting at the request of Chairman Vaughns.

RESOLUTION 04-125

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY), 21st Avenue, both sides, between Ocean Avenue and Sloat Boulevard (2900 block) and Sloat Boulevard, south side, between 20th and 21st Avenues (400 block)
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY), 21st Street, both sides, between Dolores and Guerrero Streets (3400 block)
- C. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) 248 - 254 Ritch Street, west side, between Brannan and Bryant Streets (adds even addresses only, no permit parking signs will be posted on this block)
- D. ESTABLISH - PARKING METER AREA NO. 3, Bacon Street, north side, from San Bruno Avenue to 135 feet easterly
- E. EXTEND - MUNI BUS ZONE, Jackson Street, north side, from 100 feet to 125 feet west of Webster Street (125-foot bus zone)
- F. ESTABLISH - MUNI BUS ZONE, Folsom Street, west side, from 14th Street to 80 feet southerly (80-foot zone).
- G. ESTABLISH - MUNI BUS ZONE, Union Street, south side, from Divisadero Street to 75 feet westerly (75-foot zone)
- H. RESCIND - TOW-AWAY, NO STOPPING ANYTIME, Bacon Street, north side, from 125 to 135 feet east of San Bruno Avenue

RESOLUTION 04-126

(10.3) Accepting Contract No. MR-1124, Muni Metro Electrical Improvements Project, approving Contract Modification No. 3, for a final contract amount of \$3,803,828.34, and authorizing closeout of the contract and release of final retention in the amount of \$88,225.25 to Kingston Constructors. (Explanatory documents include a staff report, financial plan, modification and resolution.)

RESOLUTION 04-127

(10.4) Authorizing the Director to execute Modification No. 4 to Contract No. CS-113, Professional Design and Support Services for MUNI Bus Procurement, with Cornerstone Concilium, Inc./Parsons Brinckerhoff Quade and Douglas, Inc. to extend the term of the contract by one year to September 9, 2005, without an increase in the contract amount. (Explanatory documents include a staff report, modification and resolution.) (MUNI)

RESOLUTION 04-128

(10.5) Approving plans and specifications and authorizing the Director to advertise bid call for Contract No. MR-1210, MUNI Metro System Subway Overhead Reconstruction. (Explanatory documents include a staff report, financial plan and resolution.) (MUNI)

RESOLUTION 04-129

(10.6) Authorizing the Director to execute the contract with ThyssenKrupp Elevator Company for an elevator maintenance agreement for full service elevator maintenance and repair at Church & Castro Street Stations in the Muni Metro System in an amount not to exceed \$40,000 for the first year or \$120,000 for three years with an option to extend for two additional years. (Explanatory documents include a staff report, financial plan, contract and resolution.) (MUNI)

RESOLUTION 04-130

(10.7) Accepting Contract No. MR-1125, N, L and J Lines Rail Replacement Project, approving Modification No. 9 for a reduction to the approved contract amount by \$241,523.81, approving the final contract amount of \$8,163,006.44, and approving the closeout of the contract with Mitchell Engineering. (Explanatory documents include a staff report, financial plan, contract modification and resolution.) (MUNI)

RESOLUTION 04-131

(10.8) Authorizing the Director to issue a Request For Proposal to solicit proposals from vendors qualified to provide Workers' Compensation Bill Review Services and Medical Treatment Utilization Review Services. (Explanatory documents include a staff report, resolution, RFP and financial plan.) (MUNI)

RESOLUTION 04-132

(10.9) Authorizing the Director to issue a Request for Proposal and conduct a negotiated procurement for Contract No. 350, Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches. (Explanatory documents include a staff report and resolution.)

RESOLUTION 04-133

Director Din asked if the Hybrid-Electric Diesel RFP included any consideration of receiving instructions and technical support manuals in an electronic format. He provided a list of questions to the Exec. Director regarding Item 10.4 that he would like to have answered. Exec. Director Burns will make sure that the materials are available electronically and will respond to the Director's other questions.

No public comment.

On motion to approve the Consent Calendar (Item 10.1 A and B removed):

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

REGULAR CALENDAR

11. Approving traffic modifications on Geary and O'Farrell between Van Ness and Market Streets for the Inner Geary Transit Improvement Project:

- A. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - O'Farrell St., north side, from Van Ness Ave. to Polk St.
- B. ESTABLISH - TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Polk St. to Larkin St.
- C. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 820 O'Farrell St. at Larkin St., northwest corner, from Larkin St. to 94 feet easterly.
- D. BUS ZONE EXTENSION - 800 BLOCK OF O'FARRELL ST., ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 895 O'Farrell St. at Polk St., southeast corner, from 81 feet to 99 feet east of Polk St.
- E. ESTABLISH - TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Larkin St. to Hyde St.
- F. ESTABLISH - GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - O'Farrell St., north side, from Larkin St. to Hyde St.
- G. ESTABLISH - GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - O'Farrell St., south side, from Larkin St. to Hyde St.
- H. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 709 O'Farrell St. at Hyde St., southwest corner, from Hyde St. to 90 feet easterly.
- I. REVOKE - BUS ZONE - 799 O'Farrell St. at Larkin St., southeast corner, from Larkin St. to 100 feet easterly.
- J. REDUCTION - BUS ZONE - 683 O'Farrell St. at Hyde St., southeast corner, reducing bus zone length to 101 feet.
- K. ESTABLISH - TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Hyde St. to Leavenworth St.
- L. ESTABLISH- GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - O'Farrell St., north side, from Hyde St. to Leavenworth St.
- M. ESTABLISH - GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - O'Farrell St., south side, from Hyde St. to Leavenworth St.
- N. REVOKE - TRANSIT (CURB) LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY AT ALL TIMES - O'Farrell St., south side, between Hyde St. and Leavenworth St.
- O. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 608 O'Farrell St. at Leavenworth St., northwest corner side, from Leavenworth St. to Harlem Alley.
- P. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 501 O'Farrell St. at Jones

St., southwest corner, from Jones St. to 96 feet westerly.

- Q. ESTABLISH- TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY O'Farrell St., north side, from Leavenworth St. to Jones St.
- R. ESTABLISH- GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - O'Farrell St., north side, from Leavenworth St. to Jones St.
- S. ESTABLISH - GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - O'Farrell St., south side, from Leavenworth St. to Jones St.
- T. REVOKE - TOW AWAY NO STOPPING, BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - O'Farrell St., south side, between Leavenworth and Jones St.
- U. REVOKE - BUS ZONE - 599 O'Farrell St. at Leavenworth St., southeast corner, from Leavenworth St. to 85 feet easterly.
- V. REVOKE - NO STOPPING ANYTIME, ESTABLISH - METERED YELLOW ZONE, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - "340" O'Farrell St., north side, from 245 feet to 289 feet east of Taylor St.
- W. REVOKE - NO STOPPING ANYTIME, ESTABLISH - GENERAL METERED PARKING, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - "360" O'Farrell St., north side, from 85 feet to 245 feet east of Taylor St.
- X. REVOKE - BUS ZONE (80-FOOT ZONE) - 485 O'Farrell St. at Jones St., southeast corner, from Jones St. to 80 feet easterly.
- Y. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - "451" O'Farrell St., south side, from 107 feet to 251 feet east of Jones St.
- Z. ESTABLISH - TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Jones St. to Taylor St.
- AA. REVOKE - TOW AWAY NO STOPPING ANYTIME, ESTABLISH - TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - O'Farrell St., north side, from Taylor St. to Mason St.
- BB. ESTABLISH - GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, from Larkin St. to Polk St.
- CC. REVOKE - BUS ZONE - 1064 Geary St. at Van Ness Ave., northeast corner, from Van Ness Ave. to 88 feet easterly.
- DD. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 1064 Geary St. at Van Ness Ave., northeast corner, from Van Ness Ave. to 88 feet easterly.
- EE. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 1020 -1054 Geary St., north side, from 96 feet to 236 feet west of Polk St.
- FF. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 990 Geary St. at Polk St., northeast corner, from Polk St. to 100 feet easterly.
- GG. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 999 Geary St. at Polk St., southeast corner, from Polk St. to 92 feet easterly.
- HH. ESTABLISH - GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, from Hyde St. to Larkin St.
- II. ESTABLISH - GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - Geary St., north and south sides, from Leavenworth St. to Hyde St.

- JJ. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 894 Geary St. at Larkin St., northeast corner, from Larkin St. to 57 feet easterly.
- KK. REVOKE - BUS ZONE - 798 Geary St. at Hyde St., northeast corner, from Hyde St. to 75 feet easterly.
- LL. ESTABLISH - TOW AWAY NO STOPPING ANYTIME – 700 Geary St. at Leavenworth St., northwest corner, from Leavenworth St. to 134 feet westerly.
- MM. ESTABLISH - TOW AWAY NO STOPPING ANYTIME – 795 Geary St. at Hyde St., southeast corner, from Hyde St. to 80 feet easterly.
- NN. REVOKE - BUS ZONE (75-FOOT ZONE) – 608 Geary St., at Jones St., northwest corner, from Jones St. to 75 feet westerly, and 684 Geary St. at Mason St., northeast corner, from Leavenworth St. to 75 feet easterly.
- OO. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 684 Geary St. at Leavenworth St., northeast corner, from Leavenworth St. to 90 feet easterly.
- PP. ESTABLISH - GENERAL METERED PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY – Geary St., north and south sides, between Jones St. and Leavenworth St.
- QQ. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 520 Geary St. at Taylor St., north side, from 75 feet to 100 feet west of Taylor St.
- RR. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 585 Geary St. at Jones St., southeast corner, from Jones St. to 84 feet easterly.
- SS. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 391 Geary St. at Mason St., southeast corner, from Mason St. to 82 feet easterly.
- TT. REVOKE - BUS ZONE (85-FOOT ZONE) – 430 Geary St., at Mason St., northwest corner, from Mason St. to 85 feet westerly.
- UU. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 10 Geary St., north side, from 90 feet to 130 feet west of Kearny St.
- VV. ESTABLISH - TOW AWAY NO STOPPING ANYTIME – 100 Geary St. at Grant Avenue northeast corner, from Grant Avenue to 72 feet easterly.
- WW. TRANSIT LANE - 300 BLOCK OF GEARY ST., REVOKE - TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY.
- XX. BUS ZONE EXTENSION - 300 BLOCK OF GEARY ST., ESTABLISH - TOW AWAY NO STOPPING ANYTIME -310 Geary St., north side, from 95 feet to 135 feet west of Powell St. (Explanatory documents include a staff report and resolution.)

Board Secretary Boomer noted that the resolution would be amended to add language to EE to clarify that the change was recommended in order to build a bus bulb.

Jose Cisneros and Bond Yee presented the items. The 38-Geary has been a transit priority for Muni for many years, most recently in Muni's Vision Plan and in the Prop K reauthorization plan. These changes are an important first step in the Geary Bus Rapid Transit initiative. Bus Rapid Transit is an implementation method that is a proven way of providing better and more reliable service. This package represents the best possible compromise between businesses and residents, public transit, cyclists and pedestrians.

Chairman Vaughns stated that given the number of people who were waiting to testify, she would limit public comment to two minutes per person.

PUBLIC COMMENT:

Linda Chapman stated that the Lower Polk Neighbors voted to oppose the removal of the bus stops. There is a large population of seniors and people with disabilities that will have fewer transit options. She fails to see how this can be consistent with ADA principles. This action tells people with walkers or canes to walk another block. She was once struck with a debilitating disease so as the bus stops get longer, every step taken is in agony. The Board should think about people struggling with pain and weakness.

Barry Taranto thinks that we shouldn't look a gift horse in the mouth. It's important for DPT, Muni and taxicabs to get through the area quickly. Some of the turn lanes are too long and remove valuable parking spaces. He is also concerned about putting parking meters in residential areas. This plan is worth trying to implement. He proposed that the first section of the bus zone at the Mitchell Brothers Theater be used as a taxi stand after 10:00 p.m. Muni inspectors should stop hassling taxi drivers who are trying to get their passengers home from a very busy location.

Ed Evans, Community Resources Action Project, stated that all of his members are enthusiastically behind retaining the bus stops in the Tenderloin. The theatres don't want to lose the stop at Mason Street. Stops bring people into the neighborhood to shop and go to the theater. He is in favor of retaining the stop location at Jones and O'Farrell. Families need to be considered as well as seniors and people with disabilities.

John Nulty provided the census figures for District 6 showing that most residents don't have cars. There are no garages in the neighborhood. You're taking away the ability of residents to survive and wounding businesses by not allowing customers to come in. They are supporting the bus stops. Muni didn't do any outreach on the bus stops. He questioned the ability of the Board to make a decision without rider input.

Michael Nulty lives in a complex that has many seniors and people with disabilities. The Alliance for a Better District 6 is opposed to this plan and they have 386 people who have signed an on-line petition. There are signs up in businesses that support keeping the bus stops. They understand it will hurt their business and will mean a loss of income. Residents rely on local transit to get to local clinics, doctors, hospitals and businesses. There are two transfer points that will be lost. He pointed out that if you go further toward Union Square, the stops are a block apart.

Norm Rolfe urged adoption of the plan. The turn pockets are especially good because it will reduce delays to buses. These changes will help address system reliability. The MTA CAC has endorsed this plan as well as MAAC. "Stop spacing" is a big thing that is causing a problem with a lot of people. The grades on Geary and O'Farrell are not that great.

Terry McCugh commented that Teamsters Local #278 met with Mayor Brown two years ago to try to get the downtown streets unclogged. He is speaking in support of this issue because it will provide more and longer yellow zones and will help move traffic.

Mark Gleason noted that Teamsters Local #665 is in support of the plan. Additional yellow zones are important. There are no large warehouses in the city any longer so larger trucks have to carry product across the Bay Bridge. These larger yellow zones will accommodate those larger trucks and will unclog the streets. We need trucks off the streets to keep the traffic flowing.

Glenda Lavigne is opposed to removing the Taylor, Jones, Leavenworth and Hyde bus stops. She rides this line everyday and sees seniors, disabled people and people with children taking the bus to Safeway. If you eliminate the stops, they'll have to walk further. Staff needs to rethink this one and consider the people. She reminded the Board that this is a public transportation system and we're providing a service to people.

Hiroshi Kokame expressed Rescue Muni's support for the first phase of this Bus Rapid Transit project. The proposal is reasonable. It doesn't make sense to have signal pre-emption if buses are stopping at every block. Bus bulbs and low-floor buses will make it easier for seniors to board.

Sean Williams doesn't have a car and rides the bus. Removing these stops is unjust and unfair to those of us who use those stops. Asking us to walk extra blocks is outrageous in a neighborhood that is known for crime. We need these stops to stay where they are.

Richard Marquez lives in the upper Tenderloin and is a long time rider. The census tracks in the Tenderloin will be the nail in the cross for residents who live in one of the most expensive cities in the world. Last week's paper talked about a large Norfolk pine that was being removed. This proposal is outrageous. This decision will contribute to transit racism and transit classism. The 38-Geary is a lifeline. Don't cut the stops.

Diego Sanchez is opposed to the elimination of the stops. He doesn't see how Muni has incorporated the public's comments at all. These stops are important to people who are mobility impaired. He has an infant and knows that carrying groceries and an infant is difficult. He questioned whether this would improve transit for people in the Tenderloin.

Chris Pederson is in support of the Inner Geary Improvements. Some lines, especially the 38-Geary, can be painfully slow. If the city is serious about improving transit and reliability, they have to take difficult steps. Many projects cost tens of millions of dollars and takes years to build but this is a welcome project because it can achieve relatively quick results in a short period of time with little expense of funds. Generally, people won't have to walk more than an extra block. Supporting the plan means you're getting serious about Transit First.

Howard Strassner, Sierra Club, urged the Board to adopt the plan. Muni has done a careful job with this recommendation. Nobody has to walk more than an extra block. They made a stop more convenient for seniors. This is a low cost way to improve transit.

David Vasquez urged the Board to support the plan. He called it a great impact for a small amount of money. There are lots of elderly people living in Japantown and in the Richmond who have to walk long blocks. This plan tries to standardize service.

Brian Co stated that the Tenderloin is not flat but is uphill. It would be great if the police equally enforced this neighborhood. We have crack cocaine smokers and prostitution in the neighborhood. In the Richmond district, residents can walk to Clement or California because it's flat. At Glide Memorial there is a health clinic that serves thousands of people. The elimination of their stop will mean that the clinic will be passed by.

Jan Rasmussen, Neighborhood Safety Partnership, stated that there are multiple issues in the Tenderloin. An extra block walk means that residents are more vulnerable to crime. The Tenderloin is densely populated and is not a typical community.

David Tornheim, Central City Progressives, stated that his organization didn't take a position but many of his members are opposed to the plan. While people in his neighborhood will benefit, residents in the Tenderloin are poor and won't receive any benefit. People in the Richmond will benefit but they have cars. People in the Tenderloin need the stops. It's great that you're trying to improve service, but eliminating stops isn't a good idea. If you want to improve service, add more express buses.

Lee Burton was asked to speak by his residential association in opposition to the plan, but after he heard the presentation, he thinks that the item should be approved.

Delphine Brody thinks that the pedestrian and bicycle stuff is fine but is in favor of keeping all the bus stops. This is an extremely high-density neighborhood that has a large number of seniors, and people with disabilities. An extra block can be an impossible task. This action tells poor people that they don't count.

Ron Miguel, Planning Association for the Richmond, stated that these changes are important to us. His association was impressed with the small cost and quick timeline. Adding bike lanes and improving the yellow zones are appreciated. He questioned the elimination of the Mason and Geary stop because of its proximity to theatres. This plan is not going to work unless enforcement is done in a more decisive manner.

Tom Radulovich, Transportation for a Livable City, stated that Mary Brown asked him to convey the SF Bicycle Coalition's support. He appreciates that staff found a way to be flexible to accommodate bikes and believes the balance is correct. He was on the Prop K committee that spent much time on the Geary Bus Rapid Transit Plan. In this corridor, service will be more reliable and less crowded. No matter where people live, they deserve fast, safe, and reliable service. The benefits outweigh small inconveniences.

Jim Matysiak was opposed to the project in the first place, as the initial proposal was to eliminate his yellow zone. He asked if the implementation of a red zone would mean that his yellow zone

would be reinstated.

Susan Bryan is a member of the Alliance for a Better District 6. She stated that Muni is what makes this city livable. She arrives at events before they begin and is seated comfortably while her friends are still trying to find a place to park. She has had physical problems and knows how hard it can be to walk an extra block. There is a lot of good to this plan, but it appeases people who live in the Richmond district. She pointed out that transferring to the 27 line will mean crossing two streets, which is not easy, convenient or safe. People in Little Saigon are dependent on transit.

Joan Downey is speaking as a Board Member of Rescue Muni. Rescue Muni strongly supports the plan including the bulb outs and elimination of bus stops. She urged the Board to approve the project as presented. The improvement in service reliability is well worth this small inconvenience. The bus stop consolidation that occurred on the 5-Fulton sped up service. This is a crucial first step to Bus Rapid Transit, which was overwhelmingly approved by voters with Prop K.

Otto Duffy noted that the Tenderloin has two to three times the population density as there is in the Richmond district. Residents don't have cars, because they have no income or garages for them. We are Muni's core clients. This North of Market area is a fully developed transit village.

Richard Allman reinforced that the issue is a north/south issue as much as it is an issue along the Geary corridor. There are few north/south connection points. Muni's project manager has said to community groups that if these bus stop removals are implemented, it will save one minute of transit time. He noted that in this political and tough budget year, the tone set by Mayor Newsom and the Board of Supervisors was not to remove services from seniors and people with disabilities. This goes against their leadership tone. He presented a paper written by the Public Policy Institute.

Patrick Carney stated that the Tenderloin is the densest neighborhood in the city. It's not just an area that people pass through and is without a lot of parking. Meters are not appropriate and yellow zones aren't welcome in a residential neighborhood. Walking a block in a high-crime neighborhood is a problem. Muni should work with the SFPD to clean up drug dealing at the bus stop at O'Farrell and Jones.

Casey Hildreth, Transportation for a Livable City, stated that stop spacing has nothing to do with density. If that were the case, New York City would have a stop at every block. This is a higher crime area, and so while we support this plan, we also support additional streetscape improvements such as better lighting and safer bus shelters. This area has been underserved but in terms of transit, everyone deserves better transit service. This plan gives it to them.

Jeremy Nelson, Transportation for a Livable City, commented that they strongly support this package of proposed improvements. He asked the Board to adopt it without modification. Everyone wants to improve transit access to all parts of the city. Nobody wants to reduce access for mobility-impaired folks. If you don't adopt the plan it will keep things the same, which

won't improve that neighborhood. 73 percent of the timesavings comes from bus stop consolidation. This is a necessary first step. He urged adoption.

Tina Panziera, Hamilton Homeowners Association, stated that her constituents feel that the plan is good, as it will decrease noise in the corridor. Their only issue is the addition of parking meters in a residential neighborhood. If possible, they would like to have fewer meters to help residents.

Chairman Vaughns closed public comment and expressed the appreciation of the Board to the public for their comments.

Chairman Vaughns asked Mr. Cisneros to review Muni's public outreach efforts with the Board. Mr. Cisneros stated that there were three Muni-sponsored community meetings, two mailings to over 8,000 residents, signs were posted on buses and at stops and over 20 community groups were involved. Staff analyzed the load pattern on each stop to determine those stops with the fewest number of people who used the stop. He also clarified that the yellow zone in front of Mr. Matysiak's business would be retained. Chairman Vaughns appreciated the comprehensive presentation and also appreciated that Muni collaborated with other city departments and labor organizations as well as with the public. Exec. Director Burns noted that this endeavor is in no way over, as staff will evaluate the impact of these changes to see if there's detriment to service. They will make adjustments at that point.

In response to a question posed by Director Din, Peter Straus, Manager of Service Planning, stated that reliability of service west of Van Ness was not a problem but east of Van Ness to the Transbay Terminal is problematic. Director Din asked about the percent of 38-Limited to 38-Local buses and if residents would benefit if Muni added more limited service during non-peak hours. Mr. Straus stated that the percent is approximately 50-50 during peak periods and adding more limited service during non-peak hours would benefit the residents. He added that the budget deficit restrains that from occurring but other improvements, such as the signal pre-empt project can improve service without increasing the cost.

Director Black commented that when the bus stop at 5th and Lake was removed, her neighbors said it was horrible. She currently walks two blocks, with a cane to catch a bus. She doesn't feel that this is a drastic change and thinks that we have to give it a chance. If it doesn't work out, Muni can do something else.

Director Kasolas asked if staff was going to measure the impact of the loss of traffic lanes on Geary on other neighborhood streets, pedestrians, bicyclists and traffic. Deputy Director Yee affirmed that the impact would be part of the evaluation. He added that part of this plan includes other mitigation measures to help compensate for "throughput" capacity. It is a good possibility that some traffic will divert to other streets but those streets are alternating one-way streets and have the capacity to handle increased traffic. If they find that traffic flow doesn't justify the length of the turn pockets, the turn pockets can be scaled back.

Chairman Vaughns requested a status report on the implementation of the project six months after the traffic changes are completed.

Director Mezey commented that this project wouldn't be effective without enforcement. Deputy Director Yee stated that DPT is fully committed to enforcing the proposed regulation changes and will work with the police department to fully enforce the transit lanes.

Director Din offered an amendment to reinstate the eliminated bus stops if the timesavings aren't realized. The motion failed for lack of a second.

RESOLUTION 04-134

On motion to approve:

ADOPTED: AYES – Black, Kasolas, Mezey and Vaughns

NAYES – Din

ABSENT - McCray

MUNICIPAL RAILWAY

12. Authorizing the execution of Contract No. MR-1195, Paratransit Debit Card System, with GPS Data Solutions to provide an integrated Paratransit Debit Card System for an amount not to exceed \$3,299,200 and for a term not to exceed six years. (Explanatory documents include a staff report, resolution, financial plan and contract.)

PUBLIC COMMENT:

Barry Taranto thinks this is a very important contract and it should be approved. Staff needs to audit this contract closely and monitor the taxicab company involved. It's also important to use the fleet of ramped taxis.

RESOLUTION 04-135

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

13. Rejecting the bid received for Contract No. MR-1194, Muni Metro System and Cable Car System Rail Grinding Program from Stacy & Witbeck and authorizing sole source negotiations with Loram Maintenance of Way, for an amount not to exceed \$660,000 and for a duration not to exceed 1,123 days. (Explanatory documents include a staff report, resolution, and financial plan.)

No public comment.

RESOLUTION 04-136

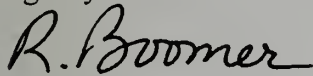
On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

ADJOURN - The meeting was adjourned at 8:00 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in black ink, appearing to read "R. Boomer".

Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**=Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

= NOTICE OF MEETING AND CALENDAR

TUESDAY, SEPTEMBER 21, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
 - September 7, 2004 Regular Meeting
5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)
 - Ongoing Activities
8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Ferguson Enterprises v. Tank Protect Engineering, Superior Ct. #402407 filed on 8/15/02 for \$0
- B. Lara Edge, Superior Ct. #CGC03426019 filed on 11/3/03 for \$5,000
- C. Maria Lourdes Cayan, Superior Ct. #410129 filed on 7/10/02 for \$7,500
- D. Yan Ya Li, Unlitigated #0402652 filed on 3/11/04 for \$11,221.40
- E. Johanna Salazar, Superior Ct. #425976 filed on 10/31/03 for \$12,500
- F. Paul Chasan, Superior Ct. #416909 filed on 1/23/03 for \$19,000
- G. Antoinette Caravelli, Superior Ct. #420347 filed on 5/9/03 for \$24,000

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - RED (NO PARKING ANYTIME) ZONES - Sussex St., north side, from 60 ft to 107 ft west of the street light pole at the corner of Castro, Bemis, and Sussex Sts.
 - B. ESTABLISH - ONE-WAY STREET - 16th Ave., northbound, between Santiago and Rivera Sts.
 - C. ESTABLISH - TOW-AWAY, MONDAY THROUGH FRIDAY, 4 TO 7 PM - Fell St., from Divisadero St. to 125 feet easterly.
 - D. RESCIND - TOW-AWAY, MONDAY-FRIDAY, 4 PM - 6 PM - Fell St., south side, from Laguna St. to Baker St.
 - E. ESTABLISH - BICYCLE LANES - Fell St., south side, from Scott St. to Baker St.
- (Explanatory documents include a staff report and resolution.) (DPT)

(10.3) Authorizing the Director to accept a gift for radar speed display signs donated by California State Automobile Association, with a value estimated at \$22,301, pending approval by the Board of Supervisors. (Explanatory documents include a staff report, resolution and agreement.) (DPT)

(10.4) Authorizing the Director to accept and expend \$3,976,400 in Section 115 capital assistance from the FTA for Muni's Radio System Replacement and Third Street Phase 1 construction projects. (Explanatory documents include a staff report and resolution.) (MUNI)

REGULAR CALENDAR

DEPARTMENT OF PARKING AND TRAFFIC

11. Finding that the proposed San Francisco Bicycle Plan: Policy Framework is consistent with San Francisco's Transit First Policy and urging the Planning Department to conduct all necessary environmental review. (Explanatory documents include a staff report, resolution and plan.)

MUNICIPAL RAILWAY

12. Authorizing the Director to enter into Contract CCO #03-874, As-needed Professional Transportation System Safety Consulting Services, with Booz, Allen, and Hamilton, Inc., in an amount not to exceed \$667,000 dollars, for a term of up to two years. (Explanatory documents include a staff report, resolution, agreement and financial plan.)

13. Authorizing the Director to execute Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit Project, with Merriwether & Williams Insurance Services, for an amount not to exceed \$400,919 for a total contract amount not to exceed \$1,177,551, with no extension of the term of the contract. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Joseph Williams, Superior Ct. #CGC03425680 filed on 10/23/04 for \$275,000

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

14. Announcement of Closed Session.
15. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, SEPTEMBER 21, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:01 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
Peter Mezey
Cleopatra Vaughns

Absent: James McCray, Jr.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the September 7, 2004 Regular Meeting: unanimously approved (McCray-absent).

5. Communications

Board Secretary Boomer announced that Item 13 had been continued to the next meeting at the request of Chairman Vaughns. She also announced that the October 5 meeting of the Board was cancelled. The next meeting will be October 19.

6. Introduction of New or Unfinished Business by Board Members

Board Secretary Boomer reported that staff had provided a revised Longevity Report and DPT Employee Survey to the Board as requested.

7. Director's Report

-Ongoing Activities

Executive Director Burns announced that on Monday, September 13th, the Powell-Mason cable car line was shut down between Washington & Powell and Bay & Taylor due to the reconstruction of the turntable at Bay & Taylor. Full cable car service will resume on the Powell-Mason line on October 30th. During construction, buses will be substituted for the cable cars. Service on the Powell-Hyde and California Street cable car lines will not be affected.

Chairman Vaughns requested information regarding how Muni provides notice to the public when lines are shut down. Mr. Burns stated that signage is posted in advance at all stops. Buses are provided in lieu of cable cars.

On Friday, September 24, the MTA will hold its Third Annual Retiree Luncheon. It will be held at the Stern Grove Clubhouse from 12:00pm – 2:00pm. All Board members are invited.

On Friday, September 10, 2004, Muni and DPT employees participated in the American Heart Association Annual Walk, raising money and awareness of this serious health problem. Mr. James Waterfield, Cable Car operator, coordinated participation this year and has led the fundraising effort for many years. His commitment to increasing awareness about this health problem is most appreciated.

The MTC Award Ceremony will be held on September 22. This ceremony recognizes people or organizations who have made extraordinary contributions in public transportation. Annette Williams, Manager of Muni's Accessible Services Program and former Chairman, H. Welton Flynn, are being recognized.

At the next Board meeting, staff will give a detailed presentation on the New Central Subway project, including preliminary engineering and legislative initiatives. Muni had been using a 5-year-old cost estimate that was based on general assumptions. Muni now has its first real cost estimate of the project. The old estimate was \$764 million. The new cost is \$994 million. The increase is due to inflation; an increase in steel and concrete costs; more detailed engineering work; real estate acquisitions; and ventilation shafts. Staff has worked hard to insure that the local funding share put into Phase I will be able to be used as a dollar match for Phase II federal money.

DPT staff will be presenting the Bicycle Plan policy document, which demonstrates the MTA's commitment to continue to work on bicycle initiatives. In addition to the bike plan, there are several traffic modifications on the consent calendar that support expansion of the bike network throughout the city.

Director Din asked about issues that arose from Chinatown garages, in particular from the Portsmouth Square garage during the bike race. He heard that the traffic diversions funneled traffic to Kearny Street that resulted in a huge backup. He would like a report on the issue.

Robert Hertan, Director of Security gave an overview of the MTA Security Program including emergency preparedness and security programs. In 2002, the FTA conducted a threat assessment

of the MTA, which identified critical areas that needed to be addressed: including equipment, materials and supplies. The FTA stated that the MTA is the leading agency in the nation in terms of basic and advanced security awareness training with over 80% of all employees having received training.

Chairman Vaughns thanked Mr. Hertan for the report.

8. Citizen's Advisory Council Report

No report was made.

9. Public Comment

John Friedlander stated that the signal lights are adequate in San Francisco except at the Gough and Geary and Spruce and California intersections. If people could get a bit more time to cross at those intersections, it would be doing a lot for pedestrian safety.

Barry Taranto appreciates hearing the security presentation and hearing the Chairman's concern about operators. He also appreciate that PCO's are keeping the cabstands clear. There is a problem at the Marriott Hotel with cabstands where cabs are forced to double-park and are being ticketed. PCO's should ticket vehicles blocking the cabstand. The cabstand at 24th and Church has disappeared. The Hilton Hotel cabstand is constantly used to provide alternative parking, which is a problem for cabs. He reminded the Board that double parking on Castro Chestnut, Polk, Union and Haight Streets make it difficult to move cars through. Those areas need to be enforced.

David Pilpel would like to have an update on the TWU 250-A protest. He hopes his comments about the service standards report and budget didn't get lost in the Geary Improvements discussion. The Board should look at the budget for next year soon and regularly and should initiate the process now for longer-term issues. There is nothing wrong with putting solutions or suggestions on the table now. If the Agency has to take any drastic action, it should start the process earlier.

Chairman Vaughns closed public comment. She reminded all present that as was stated during the August meeting, the budget process will begin in October. Exec. Director Burns stated that the service reductions approved as part of the budget were to take effect on September 1. TWU has objected, claiming health and welfare issues. Staff will continue to work with the union in an attempt to resolve their issues. His preference is to reach an agreement through cooperative discussion and negotiation rather than through the formal appeal process.

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- E. Johanna Salazar, Superior Ct. #425976 filed on 10/31/03 for \$12,500
- F. Paul Chasan, Superior Ct. #416909 filed on 1/23/03 for \$19,000
- G. Antoinette Caravelli, Superior Ct. #420347 filed on 5/9/03 for \$24,000

RESOLUTION 04-137

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - RED (NO PARKING ANYTIME) ZONES - Sussex St., north side, from 60 ft to 107 ft west of the street light pole at the corner of Castro, Bemis, and Sussex Sts.
- B. ESTABLISH - ONE-WAY STREET - 16th Ave., northbound, between Santiago and Rivera Sts.
- C. ESTABLISH - TOW-AWAY, MONDAY THROUGH FRIDAY, 4 TO 7 PM - Fell St., from Divisadero St. to 125 feet easterly.
- D. RESCIND - TOW-AWAY, MONDAY-FRIDAY, 4 PM -6 PM - Fell St., south side, from Laguna St. to Baker St.
- E. ESTABLISH - BICYCLE LANES - Fell St., south side, from Scott St. to Baker St. (Explanatory documents include a staff report and resolution.) (DPT)

Items 10.2 A, was severed at the request of the public.

PUBLIC COMMENT:

Lily Gee Hickman is opposed to Item 10.2 A, the Sussex Street red zone. She hosted a neighborhood meeting on this item but the neighbors reached no consensus. She doesn't agree with the current proposal and doesn't want to see the issue characterized as safety vs. convenience. The major safety concern is speeding vehicles. Her block requested 15 mph signs be posted years ago to discourage speeding but the signs haven't solved the problem. Recently a

Muni bus was rerouted to Sussex and it got through without any delays. If a bus can get through, then other motorists can to. If implementation of the current proposal is approved, please mitigate the problem it will cause on street-cleaning days.

Jess Taclas requested rejection of the proposal. He lives at the only property on the block without a garage. The 35-Eureka bus didn't have a problem getting through. Please continue the item to either shorten the red zone or look at other options to removing 3-4 parking spaces.

Chairman Vaughns closed public comment.

Jack Fleck, Deputy Chief Engineer stated that this area is a hilly part of Glen Park near Castro Street. The problem is that the narrow width of the turn is a significant issue for firemen because fire trucks are restricted from accessing an emergency. A 30-foot Muni bus was temporarily rerouted there but a regular sized bus or a fire truck couldn't get through in an emergency.

Mike Kearny, Chief of Battalion 6, Glen Park, stated that they don't want to take away parking but need to be able to access problems in that area. A rig is difficult to maneuver and if cars are parked in that area, there is no way to get to an emergency.

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT – McCray

Items 10.2 D and E were severed at the request of the public.

PUBLIC COMMENT:

Barry Taranto is concerned about Item D and E. He stated that the police raised concerns that this was major thoroughfare for cars. Staff needs to do a six-month review of this, including before and after traffic counts. When Octavia Blvd. and the new Central Freeway off ramp open, even more cars will be dumped onto Fell St.

Leah Shahum, SF Bicycle Coalition, stated that Fell Street was first proposed as a bike lane in 1998. It has been a pilot project and they have received incredible feedback from cyclists. This is already a bike route. They commend DPT for their work and support the action.

Greg McPheeters echoed what Ms. Shahum said. This street is a high traffic route and the bike lanes are important.

Andy Thornley thinks that this is crucial part of the bike network. He urges adoption of the item.

Chairman Vaughns closed public comment.

Jack Fleck confirmed that this has undergone a six-month trial period already at the request of ISCOTT. Staff did traffic counts when the freeway was still up. This bike lane hasn't diverted traffic and the project has been successful.

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT – McCray

RESOLUTION 04-138

(10.3) Authorizing the Director to accept a gift for radar speed display signs donated by California State Automobile Association, with a value estimated at \$22,301, pending approval by the Board of Supervisors. (Explanatory documents include a staff report, resolution and agreement.) (DPT)

RESOLUTION 04-139

(10.4) Authorizing the Director to accept and expend \$3,976,400 in Section 115 capital assistance from the FTA for Muni's Radio System Replacement and Third Street Phase 1 construction projects. (Explanatory documents include a staff report and resolution.) (MUNI)

RESOLUTION 04-140

On motion to approve the Consent Calendar (Items 10.2 A, D and E severed):

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT – McCray

REGULAR CALENDAR

DEPARTMENT OF PARKING AND TRAFFIC

11. Finding that the proposed San Francisco Bicycle Plan: Policy Framework is consistent with San Francisco's Transit First Policy and urging the Planning Department to conduct all necessary environmental review. (Explanatory documents include a staff report, resolution and plan.)

PUBLIC COMMENT:

Leah Shahum, San Francisco Bicycle Coalition, stated that they fully support the policy document. Much work has been put into this plan over the last few years. This plan is required

in order to compete for grant funds and it ties in other department work plans. This document sets measurable goals, sets priorities and outlines doable strategies to meet goals. This has been the most well publicized planning process in bike history with over 2500 suggestions received. This is the easy part. Please stay up to date on the network document because the next half will be harder as it lays out where the actual bike lanes will be.

Greg McPheeters serves on the Silicon Valley Bicycle Coalition. They are strongly in support of the plan. Many of our members use bikes as their primary mode of transportation. It's exciting to see bike improvements in the city. We would like to see them continue.

Andy Thornley, SF Bicycle Advisory Committee, stated that their committee had also conducted extensive hearings on the plan. This has been thoroughly vetted with extensive involvement from the public, other city agencies and advocacy groups. The level of cooperation is gratifying. The Network portion of the plan, which speaks to pavement and paint, will follow the policy document and will be tough. Please support this part of the plan.

Linda Jofuku, Japantown Task Force, stated that the bike plan was presented to them. They want to make sure that all outreach or public relations efforts that affects their neighborhood or any other neighborhood is neighborhood based and community, culturally and linguistically relevant. They want to be on record as saying that Japantown is against a bike lane on Post St.

Laura Thompson of Bay Trail has been involved on Technical Advisory Committee and is very much in support of the plan. They are thankful to have had the opportunity to work with DPT and urge support of the plan.

Chairman Vaughns closed public comment.

Chairman Vaughns stated that it is her understanding that it is the intent of DPT to involve San Francisco's communities at the appropriate time. The plan before the Board does not refer to specific neighborhood projects but rather to confirm that we are in compliance with the Transit First Policy and outlines goals, strategies and policies for the Bicycle Network.

Exec. Director Burns added that the Bicycle Document is actually two separate documents. The policy guidelines, that the Board is being asked to adopt at this meeting, lays out the design guidelines. The second document is the Network Document that lays out specific project. The Network Document is not before the Board for adoption at this meeting.

Oliver Gajda, Asst Manager, Bicycle Program, DPT and Jack Fleck, Asst. Traffic Engineer presented the Bicycle Plan Policy Document.

Mr. Fleck stated that for each project in the Network Document, there is a full process, including outreach to the appropriate communities. Staff determines the traffic and transit impacts and safety issues, schedules public hearings, posts notices about the project and holds informal neighborhood meetings. They provide neighborhood specific materials and will provide translation services as

requested.

Director Kasolas requested that staff report back to the Board in December regarding the status of the 5-year plans.

RESOLUTION 04-141

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT – McCray

MUNICIPAL RAILWAY

12. Authorizing the Director to enter into Contract CCO #03-874, As-needed Professional Transportation System Safety Consulting Services, with Booz, Allen, and Hamilton, Inc., in an amount not to exceed \$667,000 dollars, for a term of up to two years. (Explanatory documents include a staff report, resolution, agreement and financial plan.)

PUBLIC COMMENT:

David Pilpel believes that Mr. Kirchanski received a disproportionate reduction in staff layoffs during the budget. Spending money on consultants and not retaining existing staff and training them is wrong. The Board should look at retaining and expanding the system safety group so they can respond to these audits. This looks like recurring work, performed by TRA in the past. Staff should look to Prop. F hiring to use former employees.

Mr. Burns commented that this is a task-order contract. Currently there are no defined task orders. This item was initiated a year ago at which time the Board limited the contract to two years and \$667,000. This contract will help Muni through the CPUC audit and will provide training to staff. Staff currently isn't knowledgeable enough to do the work but by providing training, they will be able to do the work in the future.

RESOLUTION 04-142

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT – McCray

13. Authorizing the Director to execute Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit

Project, with Merriwether & Williams Insurance Services, for an amount not to exceed \$400,919 for a total contract amount not to exceed \$1,177,551, with no extension of the term of the contract. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

PUBLIC COMMENT:

David Pilpel stated that the budget provided in the packet is the overall Third St. budget and doesn't speak to this contract. The budget for this contract should be reviewed when this item comes back

The item was continued to the next meeting.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 6:41 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
Peter Mezey
Cleopatra Vaughns

Absent: James McCray, Jr.

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Fred Stephens, General Manager
Wilson Johnson, Deputy General Manager

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (McCray-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Joseph Williams, Superior Ct. #CGC03425680 filed on 10/23/04 for \$275,000

RESOLUTION 04-143

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

NAYES – Din

ABSENT – McCray

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:47 p.m.

14. Announcement of Closed Session.

Chairman Vaughns announced the Board met in closed session to discuss Williams vs. CCSF with the city attorney. The Board voted to settle the case (Din-opposed and McCray-absent).

15. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (McCray-absent).

ADJOURN - The meeting was adjourned at 6:48 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
Board of Directors
City and County of San Francisco**



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NOTICE OF CANCELLATION

TUESDAY, OCTOBER 5, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA.

THE BOARD MEETING SCHEDULED FOR TUESDAY,
OCTOBER 5, 2004 HAS BEEN CANCELLED.

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cancelled



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, OCTOBER 19, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-September 21, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Executive Director's Report (For discussion only)

- Special Recognition Award
- Third Street Project Phase II, New Central Subway
- Preliminary FY06 Budget Discussion
- Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Pauline Sapp, Superior Ct. #323165 filed on 7/24/01 for \$1,000
- B. Progressive Insurance, Superior Ct. #400160 filed on 1/8/03 for \$2,218
- C. Joshua Jennings, Superior Ct. #402812 and 403602 filed on 12/21/04 for \$2,250
- D. Farmers Insurance, Superior Ct. #424183 filed on 8/8/03 for \$3,856
- E. Lavinia Gallego, Superior Ct. #413045 filed on 10/1/02 for \$3,750
- F. Diane Rosenfield, Unlitigated Claim #0500100 filed on 7/12/04 for \$5,606.36
- G. Wawanesa Insurance, Unlitigated Claim #0402430 filed on 2/24/04 for \$6,510.63
- H. Janet Thompson, Superior Ct. #CGC03421478 filed on 6/17/03 for \$6,675
- I. Cristina Mendoza, Superior Ct. #403879 filed on 1/25/02 for \$7,500
- J. Jane Brignall, Superior Ct. #03427664 filed on 12/26/03 for \$10,000
- K. Rosendo Vargas Martinez, Unlitigated Claim #0401961 filed on 1/14/04 for \$15,000
- L. Constance Kilbore, Superior Ct. #422650 filed on 7/21/03 for \$17,500
- M. Bronya Livshits, Superior Ct. #412847 filed on 9/23/02 for \$25,000
- N. Brad Swanson, Superior Ct. #CGC03425680 filed on 9/27/02 for \$65,000

(10.2) Approving the following traffic modifications:

- A. RESCIND - TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY , ESTABLISH - TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY, McAllister Street, north side, from Gough Street to 60 feet easterly.
- B. RESCIND - 1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, ESTABLISH - 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 20th Street, both sides, between Capp and Valencia Streets
- C. REVOKE - TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY , AT ALL TIMES 300 block of Geary Street (transit lane)
- D. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 820 O'Farrell Street at Larkin Street, northwest corner, from Larkin Street to 94 feet westerly to create a 94-foot Left Turn Pocket during non-peak hours.
- E. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 709 O'Farrell Street at Hyde Street, southwest corner, from Hyde Street to 90 feet westerly to create a 90-foot right-turn pocket.
- F. REVOKE - BUS ZONE (75-FOOT ZONE) – 608 Geary Street, at Jones Street, northwest corner, from Jones Street to 75 feet westerly, and 684 Geary Street at Leavenworth Street, northeast corner, from Leavenworth Street to 75 feet easterly. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the Director to implement parking rates for the 2004 holiday carpool validation program at the Ellis-O'Farrell Garage, the Union Square Garage, the Sutter-Stockton Garage and the Fifth and Mission Garage to be effective from November 26, 2004 through January 2, 2005 between 10:00 AM and 6:00 PM; and authorizing the Director of Transportation to implement parking rates for the holiday shopping carpool validation program for the next three holiday seasons. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.4) Authorizing the Director to accept and expend \$497,050 in TEA 21, Section 3015 capital assistance for Muni's Alternative Fuel Technology Consortium project. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.5) Authorizing the Director to retroactively execute Amendment #8 to the Red Light Photo Enforcement Contract with PRWT Services, Inc. to extend the contract term by nine months to July 15, 2005, at no additional cost. (Explanatory documents include a staff report, resolution and amendment.) (DPT)

(10.6) Authorizing the Director to issue a Request for Proposals, and negotiate a contract for engineering and project management consulting services in support of Muni's Alternative Fuel Bus Procurement Program. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.7) Authorizing the Director to execute the Third Amendment to the Agreement with Concentra Medical Center to extend the Agreement through June 30, 2006, and increase the contract to an amount not to exceed \$107,000. (Explanatory documents include a staff report, resolution and amendment.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit Project, with Merriwether & Williams Insurance Services, for an amount not to exceed \$400,919 for a total contract amount not to exceed \$1,177,551, with no extension of the term of the contract. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

(This item was continued from the September 21 meeting.)

12. Authorizing the Director to execute Contract Modification No. 14 to Contract No. MR-1144, Third Street Light Rail Project: Donner Avenue to Hester Avenue, with Shimmick Construction/Homer J. Olsen, to construct a retaining wall above the newly constructed Highway 101 offramp, for an amount not to exceed \$704,724 and a total contract amount not to exceed \$40,993,910, with a time extension of 83 calendar days. (Explanatory documents include a staff report, resolution, contract modification and financial plan.)

13. Authorizing the Director to execute Modification No. 4 to Contract No. MR-1145, Third Street Light Rail Project: Hester Avenue to Sunnydale Avenue, with Shimmick Construction/ Homer J. Olsen, to extend the time to complete the contract work by 91 calendar days, to November 22, 2004, at a cost of \$95,000, for a total contract amount not to exceed \$14,586,156. (Explanatory documents include a staff report, resolution, contract modification and financial plan.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.
4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Nichole Beard, Superior Ct. #416598 filed on 1/22/03 for \$17,500

(4.2) Nancy Gordon, Superior Ct. #402184 filed on 12/7/01 for \$22,000

(4.3) Lucky Leighton, Superior Ct. #414709 filed on 11/14/02 for \$855,000

5. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

14. Announcement of Closed Session.

15. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, OCTOBER 19, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

DOCUMENTS DEPT.

REGULAR MEETING
4:00 P.M.

OCT 28 2004

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CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:01 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Peter Mezey
Cleopatra Vaughns

Absent: Michael Kasolas
James McCray, Jr. – absent with notification

Chairman Vaughns asked Board Secretary Boomer if Director Kasolas had notified the Secretary of his absence. She replied that he had not provided notification.

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the September 21, 2004 Regular Meeting: unanimously approved (Kasolas, McCray-absent).

5. Communications

Board Secretary Boomer announced that Item 11 regarding the Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit Project, with Merriwether & Williams Insurance Services was removed from the agenda at the request of staff. In addition, 10.1 (L) settlement of the Constance Kilbore case was removed from the agenda and continued to the next meeting.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Executive Director's Report

- Special Recognition Award
- Third Street Project Phase II, New Central Subway
- Preliminary FY06 Budget Discussion
- Ongoing Activities

Exec. Director Burns was pleased to present the Special Recognition to Keisha Fairley who joined DPT as a dispatcher in December 1999. She has been a solid contributor to the DPT Dispatch Center where she has performed many diversified and complex tasks in an exemplary manner. She has effectively operated the dispatch and tow desk system. Her warm, helpful personality has enhanced the DPT image. She is self-motivated and takes the initiative to learn new techniques. In almost 5 years, Ms. Fairley has not missed a single day of work due to illness. DPT has received numerous phone calls from citizens commending her professionalism, patience and helpfulness. Commander Harper recognized Ms. Fairley for her exceptional work effort. Chairman Vaughns thanked Ms. Fairley and congratulated her on behalf of the Board.

As part of the Octavia Boulevard Project construction, a 150-foot segment of the track on Market Street between Duboce Avenue and Valencia Street will be replaced. During construction, the F-line will operate between Fisherman's Wharf and 11th Street. The contractor will work on one track at a time beginning in November and is expected to take seven days. This work will upgrade the tracks to accommodate increased stress from cross traffic once the new Central Freeway ramps have been opened.

Since Monday, Sept. 13th, the Powell-Mason cable car line has been shut down between Washington & Powell and the end of the line at Bay & Taylor due to the reconstruction of the turntable at Bay & Taylor. During construction, buses have been substituted for the cable cars. The work is on schedule and is expected to be complete by Friday, October 29th, with full cable car service on the Powell-Mason line resuming on Saturday, October 30th.

A Superior Court Traffic Commissioner ruled that the automated technology employed to deter red light running is "reliable and accepted within the scientific community". The court also supported the stance that San Francisco has operated its program in accordance with the California Vehicle Code. In addition to improvements at the camera locations, this program has had a beneficial "spillover" effect throughout the city. The number of collisions with injuries decreased by 10% and the total number of injuries decreased 15% in the five years after the program compared to the five years before the program. To date, the program has issued more than 75,000 citations.

Director Mezey asked for a report on the number of citations that have been upheld in court, as he would like to know if the courts are holding up their end. He would also like to know the statistics on accident reduction. Deputy Director Yee stated that staff would provide the

requested information. He added that there has been a 40% reduction in accidents at intersections controlled by red-light cameras. City-side, the percent of red light running related accidents has dropped by 10%.

On “Walk to School Day”, DPT teamed up with the Unified School districts to increase traffic safety awareness. The DPT Livable Streets Program distributed literature to principals that promotes the benefits of walking to school safely. They have developed year-round activities to promote the need for safe walking routes to school.

The MTA’s FY05 goals had been provided to every employee. They are similar to last year’s goals and tie into the FY06 budget.

John Thomas, Project Manager, New Central Subway and Gary Griggs, Project Manager, Parsons, Brinckerhoff, presented an update of the new Central Subway, including alignment, schedule, community outreach, station and portal location and design, cost estimates and legislative issues.

Alicia Fletcher, Muni Budget Director and Julia Dawson, DPT Budget Director, presented a preliminary review of the FY06 budget. Some of the current fiscal year concerns may carry over to next year. For example, the anticipated service adjustments for the current FY are yet to be implemented. In addition, this year’s budget contained approximately \$21 million in one-time revenues that will not be available next year. This year’s budget principles will be to preserve service levels, continue the focus on safety and security, support the Third Street project and emphasize internal efficiency. The main focus will be on providing service. Expenditures for next year are expected to exceed revenue due to cost of living adjustments and retirement and benefit increases. The DPT budget anticipates the same labor expenditures as Muni and is looking fairly stable. In anticipation of a deficit in Muni’s FY’06 budget, staff will be looking to implement new revenue sources or for additional efficiencies.

Chairman Vaughns expressed her appreciation for beginning the dialogue early on the FY06 budget. She expressed anticipation that marketing strategies associated with the budget were being developed, both quantitative and qualitative.

Director Mezey asked about alternative revenue sources, and in particular, the leasing of air rights over parking lots and other property. Exec. Director Burns noted that the Mission/Steuart Hotel was under construction and staff was currently working on the Kirkland site. Director Mezey asked for a report on the properties currently under consideration. Director Mezey also asked staff to prepare a list of MTA fees, fares and fines for review by the Board. E.D. Burns noted that there had been much discussion about increasing the parking tax at the Board of Supervisors. Muni staff is looking at rental fees for historic vehicle charters and for film companies wishing to use Muni property.

PUBLIC COMMENT:

David Pilpel stated that his belief is that the New Central Subway is a bad project, and will generate very few new riders. He looks forward to it never being constructed. He appreciated that the budget has been brought to the Board early. The Board should review all leases for administrative offices to make better use of the MTA's existing facilities. He urged the Board to look at management staffing, as there are some cases where particular functions are either over or under managed. Last year the layoffs fell disproportionately on lower level personnel. The MTA should start a dialogue now if staff is going to propose service adjustments.

8. Citizen's Advisory Council Report

Daniel Murphy, Chairman, CAC, presented three new recommendations: 1) adoption of the Fourth Street alignment for the New Central Subway; 2) giving high priority to keeping the Muni map up to date, as it is useful, understandable and readable and 3) Muni seek funding to post bus schedules at all owl or low ridership stops, as it would be useful to attract riders to low-usage lines. (Chairman Vaughns thanked Mr. Murphy for the CAC's thoughtful recommendations.)

9. Public Comment

David Pilpel stated that his understanding is that the August sign-up has still not happened. There needs to be a January general sign-up for operators per the MOU. Yesterday, a CAC committee discussed the Wayside Fare Collection Report. There are some major policy recommendations and implications for Muni's fare policy. He fears that these policy decisions will get buried in the budget process. He strongly encouraged additional public outreach.

Richard Rothman was frustrated with his dealings with DPT's Traffic Engineering Department. He has been impacted by the Octavia St. construction and has tried multiple times to reach the department to offer suggestions to relieve the congestion. They haven't returned any of his messages. He thinks it is unacceptable that staff doesn't return phone calls or try to work with the public. He wishes there was a plan to integrate the two departments to carry out the mandate of Prop E.

William Sisk stated that the new contract is being violated and they had no place to go to speak with anyone about it. TWU has to deal with managers that aren't adhering to the MOU and who are viciously violating it. He would like to sit down with a director to straighten it out.

Barry Taranto thinks that more PCO's are needed to improve the way that parking spaces are turned over and how traffic moves through the city, particularly during off hours, evenings and weekends. The DPT phone system needs to be revamped because malfunctions happen during off hours and need to be dealt with promptly. The current phone number isn't easy to remember. PCOs need to be better deployed to make them more effective. Mr. Taranto thanked Debbie Borthne for handling the 49'er games.

Chairman Vaughns closed public comment. She requested that Exec. Director Burns get back to her regarding the alleged MOU violations.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Pauline Sapp, Superior Ct. #323165 filed on 7/24/01 for \$1,000
- B. Progressive Insurance, Superior Ct. #400160 filed on 1/8/03 for \$2,218
- C. Joshua Jennings, Superior Ct. #402812 and 403602 filed on 12/21/04 for \$2,250
- D. Farmers Insurance, Superior Ct. #424183 filed on 8/8/03 for \$3,856
- E. Lavinia Gallego, Superior Ct. #413045 filed on 10/1/02 for \$3,750
- F. Diane Rosenfield, Unlitigated Claim #0500100 filed on 7/12/04 for \$5,606.36
- G. Wawanesa Insurance, Unlitigated Claim #0402430 filed on 2/24/04 for \$6,510.63
- H. Janet Thompson, Superior Ct. #CGC03421478 filed on 6/17/03 for \$6,675
- I. Cristina Mendoza, Superior Ct. #403879 filed on 1/25/02 for \$7,500
- J. Jane Brignall, Superior Ct. #03427664 filed on 12/26/03 for \$10,000
- K. Rosendo Vargas Martinez, Unlitigated Claim #0401961 filed on 1/14/04 for \$15,000
- L. Constance Kilbore, Superior Ct. #422650 filed on 7/21/03 for \$17,500
- M. Bronya Livshits, Superior Ct. #412847 filed on 9/23/02 for \$25,000
- N. Brad Swanson, Superior Ct. #CGC03425680 filed on 9/27/02 for \$65,000

Board Secretary Boomer clarified that the Joshua Jennings case had been filed on December 21, 2001 and the Farmers Insurance case had been filed on September 8, 2003. In addition, as previously stated, item 10.1 (L) was continued to the meeting of November 2, 2004.

RESOLUTION 04-144

(10.2) Approving the following traffic modifications:

- A. RESCIND - TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY , ESTABLISH - TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY, McAllister Street, north side, from Gough Street to 60 feet easterly.

- B. RESCIND - 1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, ESTABLISH - 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 20th Street, both sides, between Capp and Valencia Streets
- C. REVOKE - TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY, ESTABLISH - RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY , AT ALL TIMES 300 block of Geary Street (transit lane)
- D. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 820 O'Farrell Street at Larkin Street, northwest corner, from Larkin Street to 94 feet westerly to create a 94-foot Left Turn Pocket during non-peak hours.
- E. ESTABLISH - TOW AWAY NO STOPPING ANYTIME - 709 O'Farrell Street at Hyde Street, southwest corner, from Hyde Street to 90 feet westerly to create a 90-foot right-turn pocket.
- F. REVOKE - BUS ZONE (75-FOOT ZONE) – 608 Geary Street, at Jones Street, northwest corner, from Jones Street to 75 feet westerly, and 684 Geary Street at Leavenworth Street, northeast corner, from Leavenworth Street to 75 feet easterly. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-145

(10.3) Authorizing the Director to implement parking rates for the 2004 holiday carpool validation program at the Ellis-O'Farrell Garage, the Union Square Garage, the Sutter-Stockton Garage and the Fifth and Mission Garage to be effective from November 26, 2004 through January 2, 2005 between 10:00 AM and 6:00 PM; and authorizing the Director of Transportation to implement parking rates for the holiday shopping carpool validation program for the next three holiday seasons. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-146

(10.4) Authorizing the Director to accept and expend \$497,050 in TEA 21, Section 3015 capital assistance for Muni's Alternative Fuel Technology Consortium project. (Explanatory documents include a staff report, and resolution.) (MUNI)

Director Mezey requested that the item be severed stating his surprise to learn that we were considering using pure-electric buses and wondered if they would be able to operate in San Francisco's environment.

Exec. Director Burns referred to Muni's Zero-Emission Plan that calls on Muni to use electric vehicles. Muni has tested electric buses and is currently addressing several issues, including vehicle range and the amount of space that the batteries occupy on-board. Staff may also look to the hybrid technology for the 30-foot buses.

RESOLUTION 04-147

On motion to approve Item 10.4:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

NAYES – Kasolas and McCray

(10.5) Authorizing the Director to retroactively execute Amendment #8 to the Red Light Photo Enforcement Contract with PRWT Services, Inc. to extend the contract term by nine months to July 15, 2005, at no additional cost. (Explanatory documents include a staff report, resolution and amendment.) (DPT)

RESOLUTION 04-148

(10.6) Authorizing the Director to issue a Request for Proposals, and negotiate a contract for engineering and project management consulting services in support of Muni's Alternative Fuel Bus Procurement Program. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

RESOLUTION 04-149

(10.7) Authorizing the Director to execute the Third Amendment to the Agreement with Concentra Medical Center to extend the Agreement through June 30, 2006, and increase the contract to an amount not to exceed \$107,000. (Explanatory documents include a staff report, resolution and amendment.) (MUNI)

RESOLUTION 04-150

On motion to approve the Consent Calendar:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

ABSENT – Kasolas and McCray

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit Project, with Merriwether & Williams Insurance Services, for an amount not to exceed \$400,919 for a total contract amount not to exceed \$1,177,551, with no extension of the term of the contract. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

This item was continued to the November 2 meeting.

PUBLIC COMMENT:

David Pilpel expressed concern with the financial plans for calendar items 11, 12 and 13. The financial plan doesn't clearly support this increase in funds and the format doesn't lend itself to knowing how much is allocated for each specific contract. He was not questioning the substance of the items, just the financial plan.

12. Authorizing the Director to execute Contract Modification No. 14 to Contract No. MR-1144, Third Street Light Rail Project: Donner Avenue to Hester Avenue, with Shimmick Construction/Homer J. Olsen, to construct a retaining wall above the newly constructed Highway 101 offramp, for an amount not to exceed \$704,724 and a total contract amount not to exceed \$40,993,910, with a time extension of 83 calendar days. (Explanatory documents include a staff report, resolution, contract modification and financial plan.)

No public comment.

RESOLUTION 04-151

On motion to approve:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

ABSENT – Kasolas and McCray

13. Authorizing the Director to execute Modification No. 4 to Contract No. MR-1145, Third Street Light Rail Project: Hester Avenue to Sunnydale Avenue, with Shimmick Construction/Homer J. Olsen, to extend the time to complete the contract work by 91 calendar days, to November 22, 2004, at a cost of \$95,000, for a total contract amount not to exceed \$14,586,156. (Explanatory documents include a staff report, resolution, contract modification and financial plan.)

No public comment.

RESOLUTION 04-152

On motion to approve:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

ABSENT – Kasolas and McCray

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 5:52 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Peter Mezey
Cleopatra Vaughns

Absent: Michael Kasolas
James McCray, Jr.

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Larry Williams, Deputy General Manager, HR/LR/EEO
Wilson Johnson, Deputy General Manager, Operations
Mike Hursh, Deputy General Manager, Maintenance
Ellen Shapiro, Deputy City Attorney

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Kasolas, McCray-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Nichole Beard, Superior Ct. #416598 filed on 1/22/03 for \$17,500

RESOLUTION 04-153

On motion to approve:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

ABSENT – Kasolas and McCray

(4.2) Nancy Gordon, Superior Ct. #402184 filed on 12/7/01 for \$22,000

RESOLUTION 04-154

On motion to approve:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

ABSENT – Kasolas and McCray

(4.3) Lucky Leighton, Superior Ct. #414709 filed on 11/14/02 for \$855,000

RESOLUTION 04-155

On motion to approve:

ADOPTED: AYES – Black, Din, Mezey and Vaughns

ABSENT – Kasolas and McCray

5. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

Also Present: Vince Harris, Deputy General Manager, Construction
Robin Reitzes, Deputy City Attorney
Dennis Tsai, Senior Project Manager, Construction

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:55 p.m.

14. Announcement of Closed Session.

Chairman Vaughns announced the Board met in closed session to discuss the Beard, Gordon and

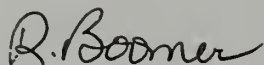
Leighton cases with the City Attorney. The Board voted unanimously to settle the cases. The Board also met with the City Attorney to discuss anticipated litigation. There was no action taken.

15. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Kasolas, McCray-absent).

ADJOURN - The meeting was adjourned at 6:57 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, NOVEMBER 2, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately Following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
ACTING DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes

-October 19, 2004 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Executive Director's Report (For discussion only)

-Special Recognition Award
-Ongoing Activities

8. Citizen's Advisory Council Report
9. Public Comment

Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Patrick Soi and Steven Choi, Superior Ct. #CGC03414979 filed on 11/22/02 for \$2,500
- B. Geico Insurance/David Lawrence, Unlitigated Claim #0500674, filed on 8/24/04 for \$5,355.58
- C. Constance Kilgore, Superior Ct. #422650 filed on 7/21/03 for \$17,500
- D. Jose Armando Ramirez, Superior Ct. #01401901 filed on 11/30/01 for \$17,500

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - NO PARKING ANYTIME - Mansell Street, median noses, east and west sides, at Girard, Brussels, Goettingen, Somerset, Hamilton and Bowdoin Streets.
- B. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING - Van Dyke Ave, north side, between Keith and Jennings Streets and Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.
- C. ESTABLISH - UNMETERED MOTORCYCLE PARKING - Page Street, north side, between the driveways of 940 and 932 - 936 Page Street.
- D. ESTABLISH - PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Bryant St., both sides, between 15th and 16th Sts.
- E. RELOCATION - MUNI BUS ZONES - Silver Avenue, south side, from 21 feet east of Bayshore Boulevard to the intersection of Silver Avenue and Bayshore Boulevard (shifts existing 78-foot bus zone 21 feet westerly).
- F. EXTEND - MUNI BUS ZONES - Geary Boulevard, south side, from 85 feet west to 110 feet west of Divisadero Street (100-foot zone after 10-foot crosswalk extension).
- G. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.
- H. ESTABLISH - TOW-AWAY, NO PARKING ANYTIME - 15th Street, north side, from Florida to Bryant Streets.
- I. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE), ESTABLISH - TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM, - Florida Street terminus, north of 15th Street.
- J. RESCIND - TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - Lincoln Way, south side, from 20th Ave. to a point approximately 100 feet easterly.
- K. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME, ESTABLISH - TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI - Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.
- L. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Rousseau St., east side, from San Jose Ave. to 55 feet southerly and Rousseau St., west side, from San Jose Ave. to Bosworth St.
- M. ESTABLISH - UNMETERED MOTORCYCLE PARKING - Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles).
- N. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).
- O. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Church Street, both sides, between 25th and

Jersey Streets (1200 block) and Duncan Street, both sides, between Sanchez Street and Noe Street (400 block).

- P. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Baker Street, both sides, between Geary Boulevard and Post Street (1300 block). (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the City of San Francisco Portsmouth Plaza Parking Corporation to expend funds, not to exceed \$300,000, from its capital improvement fund for the central cashier station project. (Explanatory documents include a staff report, and resolution.) (DPT)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit Project, with Merriwether & Williams Insurance Services, for an amount not to exceed \$400,919 for a total contract amount not to exceed \$1,177,551, with no extension of the term of the contract. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

(This item was continued from the October 19 meeting.)

12. Executing Amendment No. 4 to the Paratransit Broker Agreement with ATC to extend the Agreement for three years, through March 31, 2008, and to increase the total amount of the contract by \$65,379,606, for a total contract amount not to exceed \$158,021,539. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

13. Recommending the Board of Supervisors accept a settlement with Caltrans, in the amount of \$800,000 plus interest not to exceed \$7,000, for a portion of its property at Assessors Lot 024, Block 5474 (at Keith Street and Le Conte Avenue) and adjacent portions of Keith Street and Le Conte Avenue that the City condemned to construct the Keith Street Substation for the Third Street light rail line, as well as Caltrans small remainder parcels to the north and south for a total sale of 19, 217 square feet. (Explanatory documents include a staff report, and resolution.)

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Edgar Gallardo, Superior Ct. #03421064 filed on 6/4/03 for \$150,000

(4.2) Renaissance Parents of Success as Fiscal Agent for Muwekma Ohlone Sanctuary v. CCSF; Proven Management, Superior Ct. Case #CGC-02-415559 filed on December 10, 2002; with the City to receive \$675,000, of which \$316,000 will be paid to ProVen for remediation of PUC sewer main; upon completion, City to assume responsibility for future breaks; City retains right to seek attorneys fees from ProVen's insurer.

5. Pursuant to Government Code Section 54956.8 (b) and Administrative Code Section 67.8, the MTA Board of Directors will meet in closed session for:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: One South Van Ness, southeast corner of Market and Van Ness, block 3506, lot 1 and 1570 Burke Avenue, approximately 150' east of Third Street, block 3904, lot 2.

Persons Negotiating: Michael T. Burns and Gigi Harrington

Under Negotiation: Price___ Terms of payment___ Both X

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

14. Announcement of Closed Session.

15. Motion to disclose or not disclose the information discussed in closed session.

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, NOVEMBER 2, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

REGULAR MEETING
4:00 P.M.

CLOSED SESSION
Immediately following the Regular Meeting

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

DOCUMENTS DEPT.

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ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 4:03 p.m.

2. Roll Call

Present: Wil Din
Michael Kasolas
James McCray, Jr. – absent at Roll Call
Peter Mezey
Cleopatra Vaughns

Absent: Shirley Breyer Black – absent with notification

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the October 19, 2004 Regular Meeting: unanimously approved (Black, McCray-absent).

Director Kasolas requested a correction to the minutes of the October 19 meeting. He was listed as being absent without notification. He stated that he had notified the Chairman and others of his absence more than a month in advance. In addition, he wondered if the verbiage in the minutes regarding notification was necessary. Chairman Vaughns stated that his comments were noted.

5. Communications

The Board Secretary stated that the item in closed session regarding 1750 Burke Ave. listed an incorrect lot and block number and provided the correct numbers. Item 10.1D, the Ramirez settlement was removed from the agenda at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

The Board Secretary announced that, pursuant to a request made by the Board, staff had provided a memo in the Board packet that reviewed on-time performance of other transit properties.

7. Executive Director's Report

- Special Recognition Award
- Ongoing Activities

Exec. Director Burns was pleased to present the Special Recognition Award to Frank Ware, a 29-year Muni veteran who is the 2004 World Bell Ringing Champion. Mr. Ware first won the title in 1999. Mr. Ware has spent the last nine years at the Cable Car Division where he is an ambassador for San Francisco on a daily basis. Frank Ware demonstrated his bell ringing. Chairman Vaughns extended commendation and expressed her appreciation to Mr. Ware on behalf of the Board.

Director McCray arrived.

As previously reported, Travelers Insurance assumed responsibility for the Segment J, Platform Finishes contract from Amelco. Travelers Insurance received 3 bids from prospective completion contractors and awarded the contract to Shimmick Construction, who has already begun work. Travelers Insurance is responsible for all provisions within Amelco's original Segment J contract, including the contract completion date.

All of the operational plans for Halloween were undertaken by City agencies, including the San Francisco Police Department, MUNI, the Department of Parking and Traffic, the San Francisco Fire Department, the Department of Public Works and the Department of Public Health. Street closures were implemented from Sunday at 6:00 pm until Monday morning at 3:00 am. Parking Control officers helped divert traffic. Muni had to re-route four lines. Reports indicate that things went well throughout the evening.

An ordinance, authored by Supervisor Bevan Dufty, was approved by the full Board of Supervisors on Tuesday, October 26 requiring DPT to replace all parking and traffic signs with graffiti with signs treated with graffiti resistant material. DPT estimates that approximately 10% (18,000) of all existing signs have been vandalized with some form of graffiti and have developed a four-year plan to replace and raise these signs. The cost is estimated at \$340,000 a year each year for four years. Funds are included in the Prop. K sales tax initiative.

The MTA asked the Transportation Authority for a capital allocation to fund the work related to lane reduction and pedestrian improvements for the Inner Geary Traffic Modification Plan. The TA's Board requested that the MTA meet with the community to resolve the issue of the elimination of bus stops and to see if there could be a resolution. The TA will consider the matter on November 23. This delay has had no impact on the project because the Department of Public Work's paving contract has been postponed to early 2005.

On Thursday, October 28, plans were announced to further the consolidation of the departments of Parking and Traffic and the Municipal Railway under the Municipal Transportation Agency. Prop. E, authored by then-Supervisor Newsom, envisioned one department. This proposed reorganization supports that vision. This plan is, at this point, conceptual and general in nature. The final organization plan will consider employee, union and other stakeholder input, including the MTA Board of Directors and the Citizen's Advisory Council. Over the next 2 months, staff will be working to define the details of the plan. As part of this reorganization, Stuart Sunshine was introduced as the Deputy Executive Director of the MTA. Mr. Sunshine has served under three mayors and has served as Executive Director of the Department of Parking and Traffic.

Chairman Vaughns welcomed Mr. Sunshine to the MTA and stated that he would have the support of the Board in his efforts to meet the MTA mission, goals and objectives.

Chairman Vaughns requested an update on the MTA's response to TWU's allegations of October 19, 2004. Exec. Director Burns stated that last week he had responded to their letter and had met with TWU last Friday. They continue to work through some outstanding issues with TWU.

Bond Yee, Deputy Director, DPT, presented the SF Go Project, a program that provides an opportunity to replace obsolete traffic signal connections and replace them with communication-capable equipment. The project will allow DPT to monitor traffic changes and provide a real time response to changing road conditions.

8. Citizen's Advisory Council Report

No report was presented.

9. Public Comment

John Friedlander stated that he has found that drivers throughout the city were decent and efficient. He commended drivers for their efficiency, civility and courtesy.

David Pilpel stated that he had spoken with Fred Stephens regarding wires being down in the subway on the evening of October 3. He announced that he had had productive discussions with Alicia Fletcher regarding the budget and found them to be very helpful. He anticipated that one or both tax measures on the ballot would not pass. He expects to hear plans at the next MTA meeting that would bring the MTA's budget back in line. He suggested that Muni "reseed" the carpets at their stations prior to the start of the rainy season. He will review the reorganization plan and will provide feedback. He called the hiring of Mr. Sunshine a "positive step".

Richard Allman, Save the Bus Stops Coalition, stated that he looked forward to meeting with Exec. Director Burns to see if there was common ground that could be reached regarding the Inner Geary Transportation Plan. He noted that the Transportation Authority Plans & Programs Committee members had asked strong questions about alternatives to that plan and hoped that alternatives would be discussed. He suggested that staff get going on this meeting within the next seven days.

Bill Sisk, President, TWU-Local 250A, stated that he had initiated the meeting that Exec. Director Burns referred to in his remarks. He added that they still have problems. He thanked Mr. Friedlander for his comments about courteous operators. He commented that hiring Mr. Sunshine was a positive step.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Patrick Soi and Steven Choi, Superior Ct. #CGC03414979 filed on 11/22/02 for \$2,500
- B. Geico Insurance/David Lawrence, Unlitigated Claim #0500674, filed on 8/24/04 for \$5,355.58
- C. Constance Kilgore, Superior Ct. #422650 filed on 7/21/03 for \$17,500
- D. Jose Armando Ramirez, Superior Ct. #01401901 filed on 11/30/01 for \$17,500

Item D was removed from the agenda at the request of staff.

RESOLUTION 04-156

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - NO PARKING ANYTIME - Mansell Street, median noses, east and west sides, at Girard, Brussels, Goettingen, Somerset, Hamilton and Bowdoin Streets.
- B. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING - Van Dyke Ave, north side, between Keith and Jennings Streets and Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.
- C. ESTABLISH - UNMETERED MOTORCYCLE PARKING – Page Street, north side, between the driveways of 940 and 932 - 936 Page Street.
- D. ESTABLISH - PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) – Bryant St., both sides, between 15th and 16th Sts.
- E. RELOCATION - MUNI BUS ZONES –Silver Avenue, south side, from 21 feet east of

Bayshore Boulevard to the intersection of Silver Avenue and Bayshore Boulevard (shifts existing 78-foot bus zone 21 feet westerly).

- F. EXTEND - MUNI BUS ZONES - Geary Boulevard, south side, from 85 feet west to 110 feet west of Divisadero Street (100-foot zone after 10-foot crosswalk extension).
- G. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME – Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.
- H. ESTABLISH - TOW-AWAY, NO PARKING ANYTIME – 15th Street, north side, from Florida to Bryant Streets.
- I. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE), ESTABLISH - TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM, - Florida Street terminus, north of 15th Street.
- J. RESCIND - TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY – Lincoln Way, south side, from 20th Ave. to a point approximately 100 feet easterly.
- K. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME, ESTABLISH - TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI – Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.
- L. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME – Rousseau St., east side, from San Jose Ave. to 55 feet southerly and Rousseau St., west side, from San Jose Ave. to Bosworth St.
- M. ESTABLISH - UNMETERED MOTORCYCLE PARKING – Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles).
- N. ESTABLISH- RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).
- O. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Church Street, both sides, between 25th and Jersey Streets (1200 block) and Duncan Street, both sides, between Sanchez Street and Noe Street (400 block).
- P. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Baker Street, both sides, between Geary Boulevard and Post Street (1300 block). (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-157

(10.3) Authorizing the City of San Francisco Portsmouth Plaza Parking Corporation to expend funds, not to exceed \$300,000, from its capital improvement fund for the central cashier station project. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-158

No public comment.

On motion to approve the Consent Calendar (Item 10.1(D) removed):

ADOPTED: AYES – Din, Kasolas, McCray, Mezey and Vaughns

ABSENT - Black

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director to execute Amendment No. 2 to Contract CS-137, Brokerage Services for the Owner-Controlled Insurance Program for the Third Street Light Rail Transit Project, with Merriwether & Williams Insurance Services, for an amount not to exceed \$400,919 for a total contract amount not to exceed \$1,177,551, with no extension of the term of the contract. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

No public comment.

RESOLUTION 04-159

On motion to approve:

ADOPTED: AYES – Din, Kasolas, McCray, Mezey and Vaughns

ABSENT - Black

12. Executing Amendment No. 4 to the Paratransit Broker Agreement with ATC to extend the Agreement for three years, through March 31, 2008, and to increase the total amount of the contract by \$65,379,606, for a total contract amount not to exceed \$158,021,539. (Explanatory documents include a staff report, resolution, amendment and financial plan.)

Exec. Director Burns stated that the MTA wanted to extend ATC's contract because it is in the midst of implementing the debit card program. A new contractor at this time would invite a host of uncertainty. ATC has been very responsive, has a high satisfaction rates, and operates with a small profit margin. Most of the money goes to the service providers to provide paratransit services.

Annette Williams, Manager, Accessible Services Program reviewed Muni's Paratransit program.

PUBLIC COMMENT:

David Pilpel spoke in support of the extension. He suggested that prior to the expiration of the contract that serious consideration should be given to bringing the paratransit broker services in-house.

Barry Taranto stated his appreciation for the information presented by Ms. Williams. He thinks that people should take taxis and not vans. He commented that the debit card may discourage drivers from picking up disabled people because they might not get as good a tip. He noted that

PCO's need to be sensitive to the fact that taxi drivers provide a valuable service. ATC has done a great job in reducing theft and fraud.

RESOLUTION 04-160

On motion to approve:

ADOPTED: AYES – Din, Kasolas, McCray, Mezey and Vaughns

ABSENT – Black

13. Recommending the Board of Supervisors accept a settlement with Caltrans, in the amount of \$800,000 plus interest not to exceed \$7,000, for a portion of its property at Assessors Lot 024, Block 5474 (at Keith Street and Le Conte Avenue) and adjacent portions of Keith Street and Le Conte Avenue that the City condemned to construct the Keith Street Substation for the Third Street light rail line, as well as Caltrans small remainder parcels to the north and south for a total sale of 19, 217 square feet. (Explanatory documents include a staff report, and resolution.)

No public comment.

RESOLUTION 04-161

On motion to approve:

ADOPTED: AYES – Din, Kasolas, McCray, Mezey and Vaughns

ABSENT – Black

PUBLIC COMMENT on Closed Session Item:

David Pilpel stated that it made sense that covered storage be provided for vehicles or spare parts at Pier 80. He was especially worried that historic vehicles would suffer deterioration if they were not covered. He supported moving out of 1145 Market Street but wondered about the savings accrued due to charging rental fees to various projects for construction division space. He added that it would be good to have a space use plan for 1 South Van Ness that the public could see.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Vaughns called the closed session to order at 5:52 p.m.

2. Roll Call

Present: Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

Absent: Shirley Breyer Black

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Stuart Sunshine, Deputy Executive Director

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (Black-absent).

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Edgar Gallardo, Superior Ct. #03421064 filed on 6/4/03 for \$150,000

Also present: Fred Stephens, General Manager, Muni
Mike Hursh, Deputy General Manager, Maintenance
Jim Kelly, Senior Operations Manager
Lee Simpson, Deputy City Attorney

RESOLUTION 04-162

On motion to approve:

ADOPTED: AYES – Din, Kasolas, McCray, Mezey and Vaughns

ABSENT - Black

(4.2) Renaissance Parents of Success as Fiscal Agent for Muwekma Ohlone Sanctuary v. CCSF; Proven Management, Superior Ct. Case #CGC-02-415559 filed on December 10, 2002; with

the City to receive \$675,000, of which \$316,000 will be paid to ProVen for remediation of PUC sewer main; upon completion, City to assume responsibility for future breaks; City retains right to seek attorneys fees from ProVen's insurer.

Also present: Lee Simpson, Deputy City Attorney

RESOLUTION 04-163

On motion to approve:

ADOPTED: AYES – Din, Kasolas, McCray, Mezey and Vaughns

ABSENT - Black

5. Pursuant to Government Code Section 54956.8 (b) and Administrative Code Section 67.8, the MTA Board of Directors will meet in closed session for:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: One South Van Ness, southeast corner of Market and Van Ness, block 3506, lot 1 and 1570 Burke Avenue, approximately 150' east of Third Street, block 5203, lot 66.

Persons Negotiating: Michael T. Burns and Gigi Harrington

Under Negotiation: Price___ Terms of payment___ Both X

Also present: Alicia Fletcher, Budget Manager

Kerstin Magary, Senior Project Manager

Charles Dunn, Real Property Officer, Department of Real Estate.

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 6:44 p.m.

14. Announcement of Closed Session.

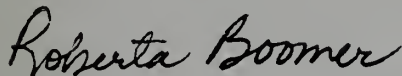
Chairman Vaughns announced that the Board met in closed session to discuss the Gallardo and Renaissance cases with the City Attorney. The Board voted unanimously to settle the two cases. The Board also met with their real estate negotiator and took no action on that matter.

15. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved (Black-absent).

ADJOURN - The meeting was adjourned at 6:46 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in cursive script that reads "Roberta Boomer".

Roberta Boomer
Board Secretary

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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, NOVEMBER 16, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

DOCUMENTS DEPT.

NOV 12 2004

CLOSED SESSION
4:00 P.M.

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REGULAR MEETING
Immediately Following the Closed Session

11-12-04P01.50 RC 0

104
BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
DEPUTY DIRECTOR
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Ronald Szeto
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401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 –REGULAR MEETING

REGULAR MEETING

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

CONVENE CLOSED SESSION

4. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

5. Pursuant to Government Code Section 54956.8 (b) and Administrative Code Section 67.8, the MTA Board of Directors will meet in closed session for:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Properties: 1570 Burke Avenue, approximately 150' east of Third Street, Block 5203 Lot 66.
One South Van Ness, southeast corner of Market and Van Ness, block 3506, lot 1
1145 Market St., between 7th and 8th Streets, block 3702, lot 44
Persons Negotiating: Michael T. Burns and Gigi Harrington
Under Negotiation: Price___ Terms of payment___ Both X

ADJOURN CLOSED SESSION

RECONVENE REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
 - November 2, 2004 Regular Meeting
5. Communications
 - (5.1) Announcement of Closed Session.
 - (5.2) Motion to disclose or not disclose the information discussed in closed session
6. Introduction of New or Unfinished Business by Board Members
7. Executive Director's Report (For discussion only)
 - Muni Quarterly Service Standards Report
 - DPT Quarterly Service Standards Report
 - FY05 and FY06 budget
 - Ongoing Activities
8. Citizen's Advisory Council Report
9. Public Comment
 - Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Cristina Mendoza, Superior Ct. #403879 filed on 1/25/02 for \$500
- B. Carlos Florentino, Unlitigated Claim #0501166 filed on 10/6/04 for \$5,545.43
- C. Kenny Wu, Unlitigated Claim #0500413 filed on 8/5/04 for \$6,359.88
- D. George Gocke, Superior Ct. #CGC01402536 filed on 12/18/01 for \$10,000
- E. Patricia Akers, Unlitigated Claim #0403040 filed on 4/9/04 for \$24,000 (DPT)

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - ONE-WAY STREET – Vandewater Street, westbound, between Mason and Powell Streets.
- B. RESCIND - RESIDENTIAL PERMIT PARKING AREA "A"(2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) AND ESTABLISH - PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Bay Street, south side, between Taylor and Mason Streets.
- C. RESCIND - RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) AND ESTABLISH - PARKING METERS - Mason Street, west side, from Bay Street to 65 feet southerly.
- D. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "H"(2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Ocean Avenue, north side, between 21st and 22nd Avenues (2900 block) and Ocean Avenue, both sides, between 20th and 21st Avenues (2800 block)
- E. RESCIND - MUNI BUS ZONES - Powell Street, east side, from Beach Street 120 feet northerly (previously rescinded on a temporary basis; makes this permanent).
- F. ESTABLISH - MUNI BUS ZONES - Powell Street, east side, from Beach Street 200 feet southerly (makes the current condition permanently).
- G. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Genessee Street, west side, from Monterey Boulevard to 19 feet southerly. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Authorizing the Director to designate the following classifications as service critical: 7366 Transit Power Line Worker; 9175 Manager I; 9176 Manager II; 9177 Manager III; 9178 Manager IV; 9179 Manager V; 9180 Manager VI; 9181 Manager VII; 9182 Manager VIII; 9183 Deputy Director I; 9187 Deputy Director II; 9190 Board Secretary. (Explanatory documents include a staff report, and resolution.) (MUNI)

(10.4) Authorizing the Director to issue a Request for Proposals for San Francisco's Red Light Camera Enforcement Program. (Explanatory documents include a staff report, resolution and RFP) (DPT)

(10.5) Authorizing the Director to advertise bid call for Contract MR-1057: Muni Metro System: Replacement of Emergency Batteries and Charger Systems At Van Ness And Embarcadero Stations. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.6) Approving the designation of seven street artist-selling spaces at Harvey Milk Plaza, from November 15, 2004 through January 15, 2005. (Explanatory documents include a staff report, and resolution.) (MUNI)

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director of Transportation to terminate Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, with McCarthy Building Companies, for the City's convenience; negotiate a termination agreement with McCarthy; execute an agreement accepting the assignment of any subcontractor or subconsultant of McCarthy; reject those bids received by McCarthy on the trade subcontracts that the Director deems appropriate; and revise and issue plans and specifications to re-bid the work under the traditional project delivery method.

12. Authorizing the Director of Transportation to negotiate and execute a lease with Russell J. and Debra B. Kirschenbaum, for 1570 Burke Avenue, commencing on or about January 1, 2005 and expiring December 31, 2011, at a rental rate not to exceed \$56,650 per month and including three five-year options to extend the lease and an option to purchase.

13. Authorizing the Director to submit a supplemental appropriation request for up to \$4,100,000 in revenues from the Breda lease-leaseback transactions to fund a sole source purchase from AC Transit of forty-five 1993 Gillig motor coaches. (Explanatory documents include a staff report, and resolution.)

DEPARTMENT OF PARKING AND TRAFFIC

14. Authorizing the Director to execute the First Amendment to the software license agreement for software for Type 2070 Signal Traffic Controllers between the Department of Parking and Traffic and Fourth Dimension Traffic, for a total contract amount not to exceed \$443,411. (Explanatory documents include a staff report, resolution and agreement.)

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, NOVEMBER 16, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

CLOSED SESSION
4:00 P.M.

REGULAR MEETING
Immediately following the Closed Session

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04
BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

401 VAN NESS AVENUE-SUITE 334 -SAN FRANCISCO-CA. 94102-4524
☎ (415) 554-6896 FAX (415) 554-4143



4:00 –REGULAR MEETING

REGULAR MEETING

1. Call to Order

Chairman Vaughns called the meeting to order at 4:18 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Stuart Sunshine, Deputy Executive Director
Gigi Harrington, Deputy General Manager, Finance
Rob Stone, Deputy City Attorney

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved.

PUBLIC COMMENT:

David Pilpel thought that the lease and acquisition of the Burke Ave. property made sense because it will save money in the long term. He stated that he was ultimately in favor of the 1 South Van Ness lease and eventual purchase but, to the extent that MTA-owned space was not currently being fully utilized, he was not in support of relocating employees from those locations. He expressed a desire to see the operating budget related to the lease.

CONVENE CLOSED SESSION - Chairman Vaughns called the closed session to order at 4:23 p.m.

4. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

5. Pursuant to Government Code Section 54956.8 (b) and Administrative Code Section 67.8, the MTA Board of Directors will meet in closed session for:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Properties: 1570 Burke Avenue, approximately 150' east of Third Street, Block 5203 Lot 66.
One South Van Ness, southeast corner of Market and Van Ness, block 3506, lot 1
1145 Market St., between 7th and 8th Streets, block 3702, lot 44

Persons Negotiating: Michael T. Burns and Gigi Harrington

Under Negotiation: Price Terms of payment Both X

Also present: Kerstin Magary, Senior Project Manager

Amy Brown, Deputy City Attorney

Charlie Dunn, Real Property Officer, Department of Real Estate

ADJOURN CLOSED SESSION - The closed session was adjourned at 5:06 p.m.

RECONVENE REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the meeting to order at 5:09 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices may be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the November 2, 2004 Regular Meeting: unanimously approved.

5. Communications

(5.1) Announcement of Closed Session.

Chairman Vaughns announced that the Board met in closed session to discuss anticipated litigation with the City Attorney and to discuss real estate with their Real Estate negotiator. The Board took no action in closed session.

(5.2) Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved.

The Board Secretary announced that Item 11, Metro East, was continued at the request of Chairman Vaughns and staff.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Executive Director's Report

- Muni Quarterly Service Standards Report
- DPT Quarterly Service Standards Report
- FY05 and FY06 budget
- Ongoing Activities

Executive Director Burns announced that the failure of the revenue measures to pass on the recent ballot meant a loss of \$10 million to the MTA over the next 18 months. Staff was currently projecting a \$12-15 million budget shortfall for FY05. At the next Board meeting, staff will present some issues for policy discussion, including the possibility of increases to fares, fees and fines, service cuts, and new revenue sources. He reported that the MTA was not considering additional layoffs at the current time, however, that doesn't mean that additional layoffs can be avoided. He expects to bring the fiscal emergency declaration to the Board for consideration on December 7th. This declaration would allow the MTA to proceed with certain service cuts without undergoing environmental review.

Exec. Director Burns announced that Mitchell Engineering, in conjunction with the Mayor's office and Muni, would be creating a handprint display of children in the Bayview community. Over 150 four to eight year old students will create a lasting "Children's Walk of Fame" on November 17th as part of the Third Street Project.

Mr. Burns reported that Gigi Harrington, Deputy General Manager of Finance, had accepted a new position with SamTrans as Chief Financial Officer. Ms. Harrington has been with Muni since 2000, and has been instrumental in many of the MTA's major initiatives including the Breda Lease-Leaseback transaction, Translink, Mission-Steuart Hotel, new information technology as well as being a crucial player in the budget process. Mr. Burns thanked Ms. Harrington for her hard work and dedication and wished her every success. Chairman Vaughns expressed appreciation for Ms. Harrington's expertise and professionalism on behalf of the Board.

Through the City's Combined Charities Campaign, Muni had contributed over \$34,000 to date, which is \$7,000 more than the previous year. DPT had contributed \$8,600.

CalTrans recently announced the award of two grants for San Francisco's Safe Routes to School program. The first grant, in the amount of \$256,500, was awarded to DPT for Marshall Elementary School for safety improvements and safety promotion. The second grant, in the amount of \$450,000, was awarded to DPT for San Francisco Community School and Monroe

Elementary School for various school safety improvements.

The Annual Paratransit Coordinating Council meeting will be held on Saturday, November 20 at 711 Eddy St.

Vernon Crawley, EEO Manager, presented the quarterly EEO report. Chairman Vaughns requested that the next quarterly EEO report be listed on the agenda for discussion purposes.

Director McCray left the meeting.

Fred Stephens, General Manager of Muni, presented the first quarter report on Service Standards.

Director Mezey stated that on-time performance seemed stuck at 70% when the goal was 85%. He was struck by the variability among the lines and wondered why some lines did well. General Manager Stephens responded that the number of stops that a vehicle makes affects on-time performance. Director Mezey wondered why Muni didn't allow more time for other lines. Mr. Stephens stated that Muni was systematically examining all lines to see if adjustments could be made. Mr. Burns added that just adding time to all the runs would be inefficient. He cited the 19-Polk line as an example, which runs on-time 58% of the time and is on a street where traffic conditions frequently change. The NextBus technology will assist Muni with on-time performance. Mr. Burns also used the 39-Coit as an example. Muni could double the running time on that line but given the traffic conditions in the area, it may not improve on-time performance because the measurement is based on both arriving early and late. Director Mezey noted that this most critical measurement must be a source of frustration to everyone.

Chairman Vaughns suggested that a focus group with the composition of labor and management, may be useful in identifying additional ways to achieve Muni's on-time performance goal.

Bond Yee, Deputy Director, DPT, presented the DPT Quarterly Service Standards.

PUBLIC COMMENT:

David Pilpel stated that he had been working closely with staff on the budget. He noted that Ms. Harrington was a very dedicated public servant despite their many disagreements. He thought it was important to designate an acting deputy general manager. He agreed with Director Mezey's comments regarding the need for new schedules. There hasn't been a sign-up in several months and service needs to be reallocated. He questioned why operator availability was less than 100%. He suggested that revenues and expenditures be reported in the future.

Barry Taranto suggested that staff needs to look at cost for operating certain routes. Traffic conditions must be considered when looking at on-time performance. Traffic is bad on Polk Street because a traffic lane was removed. Staff needs to re-look at the traffic flow on Polk Street. He suggested that the DPT report include the number of citations issued per violation.

8. Citizen's Advisory Council Report

No report was made.

9. Public Comment

Barry Taranto stated that the way traffic is being handled in the south of Market area is terrible. He suggested that staff take another look at how street closures occur and the allocation of personnel to deal with traffic mitigation as a result of those lane closures. He thinks that DPT should force Caltrans to do better public outreach. He noted that limousines continue to park in white zones without being ticketed while cab drivers are being ticketed at those same locations.

Jeremy Nelson, Transportation of a Livable City, thanked Mr. Burns and the MTA Board for reorganizing the MTA to accomplish multi-modal planning efforts. He commented that the MTA was facing almost \$10 million in cuts and urged the Board to consider all other possible sources of financing. He stated that a fare increase should be considered as a last resort.

David Pilpel presented his version of a suggested MTA reorganization.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD WERE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Cristina Mendoza, Superior Ct. #403879 filed on 1/25/02 for \$500
- B. Carlos Florentino, Unlitigated Claim #0501166 filed on 10/6/04 for \$5,545.43
- C. Kenny Wu, Unlitigated Claim #0500413 filed on 8/5/04 for \$6,359.88
- D. George Gocke, Superior Ct. #CGC01402536 filed on 12/18/01 for \$10,000
- E. Patricia Akers, Unlitigated Claim #0403040 filed on 4/9/04 for \$24,000 (DPT)

RESOLUTION 04-164

Chairman Vaughns noted that the settlement date listed in the Florentino report was incorrect. Deputy City Attorney Friedlander stated that the correct date was 2004.

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - ONE-WAY STREET – Vandewater Street, westbound, between Mason and Powell Streets.
- B. RESCIND - RESIDENTIAL PERMIT PARKING AREA "A"(2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) AND ESTABLISH - PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - Bay Street, south side, between Taylor and Mason Streets.
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- F. ESTABLISH - MUNI BUS ZONES - Powell Street, east side, from Beach Street 200 feet southerly (makes the current condition permanently).
- G. ESTABLISH - TOW-AWAY, NO STOPPING ANYTIME - Genessee Street, west side, from Monterey Boulevard to 19 feet southerly. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-165

(10.3) Authorizing the Director to designate the following classifications as service critical: 7366 Transit Power Line Worker; 9175 Manager I; 9176 Manager II; 9177 Manager III; 9178 Manager IV; 9179 Manager V; 9180 Manager VI; 9181 Manager VII; 9182 Manager VIII; 9183 Deputy Director I; 9187 Deputy Director II; 9190 Board Secretary. (Explanatory documents include a staff report, and resolution.) (MUNI)

PUBLIC COMMENT:

David Pilpel wanted to know how positions were added since the MTA wasn't part of the City's civil service process. He wondered if the positions were "service-critical" and if they had met the appropriate requirements.

Mr. Burns noted that these are reclassifications that were either in response to renegotiated contracts with various unions or were classes that currently existed as part of the citywide classification system. None were new positions.

Director Din requested the list of employees at Muni who did not have the “service-critical” designation. He was concerned that the MTA was paying people for just doing their job. Mr. Burns concurred but added that this is in accordance with Proposition E, which envisioned paying an incentive to service-critical employees.

On motion to approve:

RESOLUTION 04-166

ADOPTED: AYES – Black, Kasolas, Mezey and Vaughns

NAYES – Din

ABSENT – McCray

(10.4) Authorizing the Director to issue a Request for Proposals for San Francisco’s Red Light Camera Enforcement Program. (Explanatory documents include a staff report, resolution and RFP) (DPT)

Director Kasolas suggested that the RFP be amended to include the estimate for the cost of construction of the new pedestals upfront rather than waiting for Phase II. Jack Fleck, Traffic Engineer noted that they would issue an addendum that added those cost estimates.

On motion to approve:

RESOLUTION 04-167

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

(10.5) Authorizing the Director to advertise bid call for Contract MR-1057: Muni Metro System: Replacement of Emergency Batteries and Charger Systems At Van Ness And Embarcadero Stations. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

PUBLIC COMMENT:

David Pilpel asked about the status of funding. He commented that while the staff report indicated the source of funds, it didn’t indicate whether those funds had yet been applied for or received.

On motion to approve:

RESOLUTION 04-168

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

(10.6) Approving the designation of seven street artist-selling spaces at Harvey Milk Plaza, from November 15, 2004 through January 15, 2005. (Explanatory documents include a staff report, and resolution.) (MUNI)

RESOLUTION 04-169

On motion to approve the Consent Calendar (Items 10.3, 10.4 and 10.5 severed):

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

REGULAR CALENDAR

MUNICIPAL RAILWAY

11. Authorizing the Director of Transportation to terminate Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, with McCarthy Building Companies, for the City's convenience; negotiate a termination agreement with McCarthy; execute an agreement accepting the assignment of any subcontractor or subconsultant of McCarthy; reject those bids received by McCarthy on the trade subcontracts that the Director deems appropriate; and revise and issue plans and specifications to re-bid the work under the traditional project delivery method.

No public comment.

The item was continued at the request of Chairman Vaughns and staff.

12. Authorizing the Director of Transportation to negotiate and execute a lease with Russell J. and Debra B. Kirschenbaum, for 1570 Burke Avenue, commencing on or about January 1, 2005 and expiring December 31, 2011, at a rental rate not to exceed \$56,650 per month and including three five-year options to extend the lease and an option to purchase.

PUBLIC COMMENT:

David Pilpel wondered if the Capital Improvement Plan needed to be amended since this agreement was not part of the Short Range Transit Plan. He stated that he had no quarrel with

the lease and that staff should proceed.

RESOLUTION 04-170

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

13. Authorizing the Director to submit a supplemental appropriation request for up to \$4,100,000 in revenues from the Breda lease-leaseback transactions to fund a sole source purchase from AC Transit of forty-five 1993 Gillig motor coaches. (Explanatory documents include a staff report, and resolution.)

Mike Chinn, Manager of Fleet Procurement presented the item.

Exec. Director Burns noted that these buses would meet the clean air standard set by the Clear Air Act of 2004 for the reserve fleet. This opportunity arose because of AC Transit's recent reduction in service.

PUBLIC COMMENT:

David Pilpel requested a current list of Lease-Leaseback expenditures to date. He questioned if staff had investigated asking the Transportation Authority for the funds. He requested confirmation about which of Muni's vehicles would be retired as the result of this purchase.

Exec. Director Burns noted that the MTA did consider approaching the Transportation Authority. The older buses will be retired to the Reserve Fleet. The AC buses will first be used in service but when the alternative fuel buses arrive, they will become part of the reserve fleet. Chairman Vaughns requested that Mr. Pilpel be provided with a current list of Lease-Leaseback expenditures.

RESOLUTION 04-171

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

DEPARTMENT OF PARKING AND TRAFFIC

14. Authorizing the Director to execute the First Amendment to the software license agreement

for software for Type 2070 Signal Traffic Controllers between the Department of Parking and Traffic and Fourth Dimension Traffic, for a total contract amount not to exceed \$443,411. (Explanatory documents include a staff report, resolution and agreement.)

PUBLIC COMMENT:

David Pilpel questioned if there might be other traffic signal locations, in addition to Cable Car locations, that may be a priority. He called the contract an excellent example of DPT and Muni working together and proof that the two departments don't need to be consolidated.

RESOLUTION 04-172

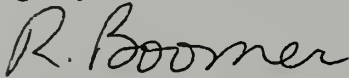
On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, Mezey and Vaughns

ABSENT - McCray

ADJOURN - The meeting was adjourned at 7:11 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.



Roberta Boomer
Board Secretary

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**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

NOTICE OF MEETING AND CALENDAR

TUESDAY, DECEMBER 7, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLACE

CLOSED SESSION
4:00 P.M.

REGULAR MEETING
Immediately Following the Closed Session

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Michael Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

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DEPARTMENT OF PARKING & TRAFFIC

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Roberta Boomer
BOARD SECRETARY

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ACCESSIBLE MEETING POLICY

The Municipal Transportation Agency Board and Parking Authority meeting will be held in Room 400, at 1 Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: Muni Metro Lines J-Church, K-Ingleside, L-Taraval, M-Oceanview, and N-Judah at Van Ness and Civic Center Stations; F-Market; 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 923-6142.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

If you require the use of an American sign language interpreter, a sound enhancement system, or a reader during the meeting, such person or system can be made available upon request; please contact Roberta Boomer at (415) 554-6896, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact Roberta Boomer at (415) 554-6896 at least 72 hours in advance of need. Written reports or background materials for calendar items are available for public inspection and copying at 401 Van Ness Ave. #334 during regular business hours and are available on-line at www.sfmuni.com.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 252-3112 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code), to report a violation of the ordinance or to obtain a free copy of the ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force. She can be reached by calling (415) 554-7724, fax (415) 554-7854, by e-mail at Donna_Hall@ci.sf.ca.us, or in writing to #1 Carlton B. Goodlett Place, Room 409, San Francisco, CA 94102-4683.

Copies of the Sunshine Ordinance can also be obtained at the San Francisco Public Library, 100 Larkin St. or on the city's website at www.ci.sf.ca.us/bdsupvrs/sunshine.

4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

CONVENE CLOSED SESSION

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Gannett Fleming, Superior Ct. #RG03104587 filed on 7/26/02, for \$525,000 (MTA to receive)

5. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

REGULAR MEETING

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
 - November 16, 2004 Regular Meeting
5. Communications
 - (5.1) Announcement of Closed Session.
 - (5.2) Motion to disclose or not disclose the information discussed in closed session.
6. Introduction of New or Unfinished Business by Board Members
 - Update on Traffic Calming and Bicycle 5-year plans
7. Executive Director's Report (For discussion only)
 - Special Recognition Award
 - Ongoing Activities
8. Citizen's Advisory Council Report
9. Public Comment
 - Members of the public may address the Board on matters that are within the Board's jurisdiction and are not on today's calendar.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD ARE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the MTA:

- A. Sharon Buchanan, Superior Ct. #417501 filed on 2/19/03 for \$2,000
- B. Progressive Marathon Insurance, Superior Ct. #418387 filed on 3/14/03 for \$5,210.85
- C. Carrie Lane, Unlitigated Claim #0500264 filed on 7/23/04 for \$8,509.65
- D. Marlene Palacios, Unlitigated Claim #0500814 filed on 9/7/04 for \$10,020.11
- E. Winford Morgan, Superior Ct. #431283 filed on 5/12/04 for \$15,650

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - UNMETERED MOTORCYCLE PARKING - Francisco Street, south side, between the driveways of 1567 - 1569 and 1573 - 1575 Francisco Street and Dolores Street, east side, between the driveways of 401 and 405 Dolores Street.
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Sanchez Street, both sides, between 27th and Duncan Streets.
- C. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - York St, west side, between 19th and 20th Sts and 25th St, both sides, between Kansas and Rhode Island Sts.
- D. ESTABLISH - RED (NO PARKING ANYTIME) ZONES -Dolores Street, east side, from 17th Street to 12 feet southerly.
- E. ESTABLISH - PERPENDICULAR (90-DEGREE ANGLE) PARKING -Anza Street, south side, from Masonic Avenue to 500 feet westerly.
- F. ESTABLISH - NO PARKING ANYTIME -Anza Street, south side, at Collins Street along the sidewalk extension.
- G. RESCIND - LEFT LANE MUST TURN LEFT -Anza St., eastbound, at Masonic Ave.
- H. ESTABLISH - NO TRUCKS OVER 3 TONS, NO TOUR BUSES - Chestnut Street, between Lyon Street and Richardson Avenue; Greenwich Street, between Lyon and Divisadero Streets; Filbert Street, between Divisadero and Lyon Streets; Baker Street, between Richardson Avenue and Union Street; and, Broderick Street, between Richardson Avenue and Union Street.
- I. RESCIND - MUNI BUS ZONES and ESTABLISH - WHITE (PASSENGER LOADING) ZONE, 9 AM to 6 PM, MONDAY THROUGH SATURDAY - Geary Boulevard, south side, from 315 feet to 264 feet west of Fillmore Street.
- J. ESTABLISH - GREEN (SHORT-TERM PARKING) METERS -Geary Boulevard, south side, between Steiner and Fillmore Streets. (Explanatory documents include a staff report, and resolution.) (DPT)

(10.3) Accepting Contract No. MR- 1174, Muni Metro New Key Stops Phase D; authorizing execution of the final Contract Modification No. 2, to extend the contract to March 29, 2001; reduce the contract amount to \$1,865,500; and authorize closeout. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

(10.4) Authorizing the Director of Transportation to accept and expend \$212,490 from MTC to perform site preparation work at MUNI facilities necessary for the installation of TransLink equipment. (Explanatory documents include a staff report, and resolution.) (MUNI)

REGULAR CALENDAR

MUNICIPAL TRANSPORTATION AGENCY

11. Discussion of FY2005 and 2006 budget and possible policy options. (Explanatory documents include a staff report.)

MUNICIPAL RAILWAY

12. Public Hearing to consider a declaration of fiscal emergency for the Municipal Railway for the 2005 calendar year pursuant to the California Public Resources Code section 21080.32 and California Environmental Quality Act Implementing Guidelines. (Explanatory documents include a staff report and fiscal analysis.)

13. Revising the Schedule of Fees for use of Muni's vehicles and facilities for excursions and film shoots, and for the rental of the Cable Car barn and museum which shall take effect on January 15, 2005. (Explanatory documents include a staff report, resolution and fee schedule.)

14. Authorizing the Director of Transportation to terminate Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, with McCarthy Building Companies, for the City's convenience; negotiate a termination agreement with McCarthy; execute an agreement accepting the assignment of any subcontractor or subconsultant of McCarthy; reject those bids received by McCarthy on the trade subcontracts that the Director deems appropriate; and revise and issue plans and specifications to re-bid the work under the traditional project delivery method. (Explanatory documents include a staff report, and resolution.)

(This item was continued from the November 16 meeting.)

15. Authorizing the Director of Transportation and the Director of Property to negotiate and enter into a lease with One South Associates, for office space on the third floor of the building at One South Van Ness Avenue, including a potential exercise of the option to purchase the property. (Explanatory documents include a staff report, resolution and term sheet.)

DEPARTMENT OF PARKING AND TRAFFIC

16. Authorizing the award of Department of Public Works Contract No. 0777J: Potrero Avenue Traffic Signal Upgrade, to St. Francis Electric, as the lowest responsive and responsible bidder, for a total contract amount of \$1,202,896.20 (Explanatory documents include a staff report, resolution and financial plan.)

ADJOURN

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
And Parking Authority
City and County of San Francisco**

MINUTES

TUESDAY, DECEMBER 7, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA

CLOSED SESSION
4:00 P.M.

REGULAR MEETING
Immediately following the Closed Session

BOARD OF DIRECTORS

Cleopatra Vaughns, Chairman
Mike Kasolas, Vice Chairman
Shirley Breyer Black
Wil Din
Rev. Dr. James McCray, Jr.
Peter Mezey

Michael T. Burns
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Bond Yee
DEPUTY DIRECTOR
DEPARTMENT OF PARKING & TRAFFIC

Ronald Szeto
ACTING DIRECTOR
SAN FRANCISCO PARKING AUTHORITY

Roberta Boomer
BOARD SECRETARY

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4:00 - REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Vaughns called the closed session to order at 4:02 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr. – absent at Roll Call
Peter Mezey
Cleopatra Vaughns

Also present: Michael T. Burns, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Stuart Sunshine, Deputy Executive Director
Vince Harris, Deputy General Manager, Construction
Rob Stone, Deputy City Attorney
Dennis Tsai, Senior Project Manager
Robin Reitzes, Deputy City Attorney
Drew Howard, Project Manager

3. Discussion and vote pursuant to Administrative Code Section 67.11(a) as to whether to conduct a closed session and invoke the attorney-client privilege.

On motion to invoke the attorney-client privilege: unanimously approved (McCray-absent).

CONVENE CLOSED SESSION – Chairman Vaughns called the closed session to order at 4:03 p.m.

Director McCray arrived at 4:04 p.m.

4. Pursuant to Government Code Section 54956.9 and the Administrative Code Section 67.8 (a) (3), the Municipal Transportation Agency Board will meet in Closed Session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

(4.1) Gannett Fleming, Superior Ct. #RG03104587 filed on 7/26/02, for \$525,000 (MTA to receive)

RESOLUTION 04-173

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

5. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant X As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING - The closed session was adjourned at 4:32 p.m.

REGULAR MEETING

1. Call to Order

Chairman Vaughns called the meeting to order at 4:33 p.m.

2. Roll Call

Present: Shirley Breyer Black
Wil Din
Michael Kasolas
James McCray, Jr.
Peter Mezey
Cleopatra Vaughns

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Vaughns announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices might be removed from the meeting.

4. Approval of Minutes

On motion to approve the minutes of the November 16, 2004 Regular Meeting: unanimously approved.

5. Communications

(5.1) Announcement of Closed Session.

Chairman Vaughns announced that the Board met in closed session to discuss Gannett Fleming vs. CCSF with the City Attorney. The Board voted unanimously to settle the case. The Board also met with the City Attorney to discuss anticipated litigation. There was no action taken on that matter.

(5.2) Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved.

The Board Secretary announced that Item 13, Revising Muni's Schedule of Fees, had been continued to January 4 at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

Director Din provided a list of questions regarding wheelchair lift limitations and requested a response from the department.

-Update on Traffic Calming and Bicycle 5-year plans

Executive Director Burns reported on the Traffic Calming and Bicycle 5-Year plans. The Policy Framework for the Bike Plan is undergoing environmental review. The Traffic Calming and Pedestrian 5-Year Plans are closely tied to the Transportation Authority and will be presented to the Board in the spring.

Director Kasolas requested that staff provide a memo to the Board on the status of the Traffic Calming and Bicycle plans. He also requested an update in four months.

7. Executive Director's Report (For discussion only)

-Special Recognition Award

-Ongoing Activities

Executive Director Burns stated that he was pleased to present the December Special Recognition award to Tony Tufo who began his career at Muni in 1984 and currently served as a maintenance planner and technical assistant to the Deputy General Manager of Maintenance. Tony has been responsible for coordinating various projects and programs such as the historic vehicle procurement and rehabilitation and also serves as the liaison to Market Street Railway. He was instrumental in acquiring the New Jersey vehicles and securing funds for the Geneva Canopy project. He has been a champion of the historic fleet. Tony's "we can do this" attitude has helped him build a strong team building relationship with his co-workers and Market Street Railway.

Rick Laubscher, President, Market St. Railway, presented the MSR 2004 "Don Chee" award to Tony Tufo. Chairman Vaughns recognized and commended Mr. Tufo on behalf of the Board. Mr. Tufo introduced his wife, Linda.

Over 150 school-aged children from the Bayview Hunters Point community gathered to leave their hand imprints and initials in cement as a part of Muni's 3rd Street Light Rail "Creating Community Connections" project. The "Children's Walk of Fame" event was held on November 17th. The MTA thanks Mitchell Engineering for their participation in the project.

The MTA had been working with the Fire Department on the development of citywide accessible defibrillators. Muni has purchased several for placement at all Metro stations and divisions. Employees would be receiving appropriate training. Mayor Newsom would be holding a press conference Friday, December 10th at the Powell St. station.

At the San Francisco Municipal Railway Improvement Corporation's annual meeting, the SFMRIC board approved funding for several projects including historic vehicles, the purchase and rehabilitation of street cars and installing a canopy at the Geneva Yard. SFMRIC funds are restricted to capital projects and are not available for operating costs.

Staff was continuing to solicit public input on the New Central Subway project. The next meeting will be on Tuesday, December 14, 2004 from 6:30pm – 8:30pm and will be held at the Pacific Energy Center at 851 Howard Street.

Bond Yee, Director, DPT presented the Collision Report. The report is a comprehensive evaluation of all traffic collisions and shows a steady and significant decline in injury collisions involving motorists, pedestrians and bicyclists since 2002. These results are due to programs implemented by DPT citywide and at specific high-risk intersections and by the efforts of the Police department.

8. Citizen's Advisory Council Report

Dan Murphy, Chairman, CAC, presented several recommendations to the Board regarding the reorganization, budget, and the Golden Gate Concourse garage. He expressed the appreciation of the CAC to the Executive Director for soliciting their input. Chairman Vaughns stated that the Board appreciated the CAC's comprehensive and provocative thoughts.

9. Public Comment

Bob Planthold stated that too many passengers don't trust Muni, don't know the directors and don't understand why service was bad and neglected. He noted that on some vehicles, the pull cord didn't extend to the front door, which is a safety concern for seniors. He called the on-time platform announcement system unreliable. He challenged the MTA to make the public understand why management should keep their jobs when un-repaired, hazardous conditions continue to exist.

Ellen Murray, a 19-year operator, stated that hidden service cuts were happening due to management directive regarding "not-outs". The Board should investigate and get statistics on the number of coaches that leave the barn and immediately break down. She also stated that at the Potrero Division there were a number of ETI buses that were out of service due to unavailable parts. She commented that selling the ETI warranty meant that it would cost more to fix technical problems.

David Pilpel stated that while the Director of Transportation was eligible for a \$7,000 bonus last year, Mr. Burns had chosen to forgo that bonus in light of the budget shortfall. He thought that fact was something positive that should be called to the attention of the public. He provided information on historical pay hour statistics that reveals that scheduling efficiency is not as high as it has been in the past.

Barry Taranto acknowledged Ricardo Olea for making it easier for cab drivers to take passengers through city. Mr. Olea should be honored next month as an unsung hero. Took care of anti-cruising signs on Mission. He suggested using PCO's in the evening and during weekends to help make Muni more efficient. He would like the police to enforce diamond lanes and PCO's to ticket vehicles parked at taxi stands.

Andrew Sullivan, Rescue Muni, commended staff for the reorganization plan. He recommended that the planning director should report directly to Mr. Burns. He stated that Rescue Muni didn't support the current plan for Martin Luther King Drive. It will lead to additional traffic delays. He commended the Agency for expanding fast-pass sales and suggested other ways to expand the sale of fast passes.

Tom Radulovich, Executive Director, Transportation for a Livable City, stated that they are in agreement with the CAC's recommendations. He noted that the money in Prop K for Bus Rapid Transit (BRT) could help Muni in the future. He suggested that BRT be considered as a strategic direction for Muni. He commented that the disadvantage to ending the BART-Muni fast pass will be increased service in the Mission corridor.

Howard Strassner stated that the Sierra Club had endorsed moving forward quickly with the Bus Rapid Transit and Transit Preferential Streets programs. He suggested that the MTA could re-implement charging for parking meters on Sundays and could extend evening hours for parking in commercial areas. He also suggested charging a premium for people who enter garages during rush hour and implementing a resident garage impact fee. Muni should investigate long-term solutions such as the sale of air rights.

Alice Mosley spoke in favor of a local environmental impact development fee. This fee would also reduce the toll on residents because it would reduce police, noise, pollution, and medical costs, and would reduce congestion in the downtown area.

THE FOLLOWING MATTERS BEFORE THE MUNICIPAL TRANSPORTATION AGENCY BOARD WERE RECOMMENDED FOR ACTION AS STATED BY THE DIRECTOR OF TRANSPORTATION, AND CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CONSENT AND REGULAR CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 401 VAN NESS AVE. #334.

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10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Municipal Transportation Agency Board, and will be acted upon by a single vote of the Board. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available

or will be available in payment of the following claims against the MTA:

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- E. Winford Morgan, Superior Ct. #431283 filed on 5/12/04 for \$15,650

Chairman Vaughns requested that Item 10.1A be severed and continued to the next meeting for discussion.

RESOLUTION 04-174

(10.2) Approving the following traffic modifications:

- A. ESTABLISH - UNMETERED MOTORCYCLE PARKING - Francisco Street, south side, between the driveways of 1567 - 1569 and 1573 - 1575 Francisco Street and Dolores Street, east side, between the driveways of 401 and 405 Dolores Street.
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - Sanchez Street, both sides, between 27th and Duncan Streets.
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- J. ESTABLISH - GREEN (SHORT-TERM PARKING) METERS -Geary Boulevard, south side, between Steiner and Fillmore Streets. (Explanatory documents include a staff report, and resolution.) (DPT)

RESOLUTION 04-175

(10.3) Accepting Contract No. MR- 1174, Muni Metro New Key Stops Phase D; authorizing execution of the final Contract Modification No. 2, to extend the contract to March 29, 2001; reduce the contract amount to \$1,865,500; and authorize closeout. (Explanatory documents include a staff report, resolution and financial plan.) (MUNI)

RESOLUTION 04-176

(10.4) Authorizing the Director of Transportation to accept and expend \$212,490 from MTC to perform site preparation work at MUNI facilities necessary for the installation of TransLink equipment. (Explanatory documents include a staff report, and resolution.) (MUNI)

PUBLIC COMMENT:

David Pilpel stated that the staff report didn't discuss the long-term operating costs of Translink. He questioned whether the MTA should continue with Phase II if there was a net increase to the MTA's budget. (Executive Director Burns stated that the MTA was moving forward with implementation as authorized and staff would provide a financial breakdown on the grant application to the speaker.)

RESOLUTION 04-177

On motion to approve the Consent Calendar (Item 10.1 A and 10.4 severed)

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

REGULAR CALENDAR

MUNICIPAL TRANSPORTATION AGENCY

11. Discussion of FY2005 and 2006 budget and possible policy options. (Explanatory documents include a staff report.)

MUNICIPAL RAILWAY

12. Public Hearing to consider a declaration of fiscal emergency for the Municipal Railway for the 2005 calendar year pursuant to the California Public Resources Code section 21080.32 and California Environmental Quality Act Implementing Guidelines. (Explanatory documents include a staff report and fiscal analysis.)

Chairman Vaughns requested that the Board Secretary call Items 11 and 12 together.

Executive Director Burns stated that both items were scheduled as public hearings and that the Board wasn't being asked to vote on either item. He reviewed the specifics of Item 12 first;

stressing that item 12 only dealt with the need for environmental review and did not subvert any other approval process required for adjustments to service. He stated that any future action to adjust service would require a full public process, including public hearings, MTA Board approval and approval by the Board of Supervisors as necessary.

Mr. Burns stated that, with respect to Item 11, staff would present options for resolving the budget deficit to the board for discussion. The MTA was facing significant budget shortfalls for the remainder of this fiscal year and for next fiscal year. In the past, the MTA had been able to deal with shortfalls through fare increase, parking fee and fine increases and staff reductions. The MTA also relied heavily on one-time measures that are not available to the Agency for the current shortfall. Health care and retirement program costs have also continued to climb. Staff is looking for input from the public and the Board of Directors to resolve this problem and bring the budget into balance.

Alicia Fletcher, Budget Manager presented the public hearing on the declaration of fiscal emergency. Muni is currently facing a deficit of \$9 million in FY2005 and \$55 million in FY2006. This is due primarily to the two failed tax measures, higher than budgeted expenditures, and the failure to implement service reductions. She stated that the California Public Resources Code provided a definition of "fiscal emergency" and provided a formula for determining if a fiscal emergency existed. The code also required a public hearing on the declaration and a response to comments made by the public within 30 days of the hearing. A fiscal emergency did not implement changes to fares or service. Those changes would require a full public process including action by the MTA and review by Board of Supervisors. A declaration only allows the MTA to implement changes without environmental review. All one-time cuts and revenue sources have been tapped and ongoing revenue increases have previously been implemented through increases in fixed route fares and parking fees.

Exec. Director Burns added that they are doing everything possible to avoid layoffs. Last year, staff eliminated approximately 270 positions with over 100 people losing their jobs. Upon close examination of staffing levels, there is little opportunity to achieve savings through layoffs without sacrificing service. He is looking to reduce expenses or raise revenues to resolve this deficit, however he couldn't promise that the Agency won't have layoffs going forward.

Director Mezey suggested that the faster that the MTA was able to make changes, the better the chances that the problem could be solved without layoffs.

Alicia Fletcher presented the FY05 and FY06 budget shortfalls and options to address the deficits. Staff had identified some policy considerations for discussion and kept in mind the Transit First policy, the need to align service with existing resources, linking increased fares and fees to service safeguards, diversifying revenue sources, and seeking solutions that would have long-term benefits.

Exec. Director Burns reiterated that the sole purpose of the declaration of fiscal emergency was to negate the need for environmental review. The declaration did not provide any emergency

powers to the Agency or to him to implement any changes without the full public process. He added that staff was not making any recommendation about how to solve the deficit and they remained open to other ideas.

Chairman Vaughns stated that the Board valued and gave serious consideration to the input received from the public. She also stated that the budget deficit was of a magnitude that would require actions that would hurt, but were necessary to resolve the revenue crisis.

PUBLIC COMMENT:

Norman Rolfe urged the Board to raise rates at city-owned garages immediately. Rates at private garages are much higher than at city-owned garages. The MTA should also expand the hours during which meters operate, increase parking taxes, fees and fines and provide better enforcement of parking violations. Staff should also look into the possibility of having a fee that applies to commercial buildings citywide.

Bill Sisk, President, Local 250-A, stated that TWU was opposed to the fiscal emergency and to comments that reductions in service wouldn't reduce a driver's salary. He suggested charging .25 cents for a transfer and supports increasing fares and a parcel tax. TWU also supports an increase in garage rates, parking fines and a local environmental vehicle fee. TWU won't accept a cut in salary.

Rafael Cabrera stated that the Transit First Policy in Prop E requires a safe and reliable transit system. He supported increases to the garage rate, parking fees and fines and at parking meters. He suggested that the MTA look at establishing a transit assessment district. Downtown should pay for transit since they benefit from the service.

Stuart Baker, Commuter Check Program, stated that if Muni increased the cost of fast passes; that they increase payment to vendors who sell those passes. He suggested that BART and Muni consider creating a premium fast pass for riders who use both systems. People who directly benefit should bear the cost.

Paul Mori stated that he had been working on traffic calming plans for his neighborhood. Muni is one of the largest traffic violators in their neighborhood with nearly empty 23-line buses that run by his house seven days a week from 5 a.m. until midnight. In view of the fiscal emergency, he questioned why Muni runs empty buses. He suggested eliminating service on the 23 line, evaluating other lines where service could be reduced and increasing taxes, fees and fines. The city should review all routes prior to any increase.

Andrew Sullivan, Rescue Muni, stated that they were concerned about service cuts and fare increases. They agreed about increases to parking garage fares, fees and fines and suggested that the city should also expand meters and meter hours and increase the parking tax. Cars should help subsidize public transit. He suggested that the city consider a "congestion zone" similar to what exists in London and Singapore which could result in significant revenue for Muni and

would improve service quality at the same time. Rescue Muni is opposed to eliminating the Bart Fast pass and charging for transfers. Both would be bad for riders.

Susan King voiced opposition to cuts in service or increases in fares however she expressed interest in raising fees associated with driving or parking. She encouraged creative enforcement of parking laws such as installing cameras on buses that would photograph cars that block transit. She suggested further consideration of how a fare increase would impact lower income people.

Howard Strassner, Sierra Club, suggested that raising the fast pass less than the daily fare would encourage people to buy and use a fast pass. He noted that raising parking fees to encourage people to use Muni rather than drive. With more cars in the city, staff should find out how to increase fees on those vehicles.

Charles White, Muni Operator, stated that he doesn't like hearing about tax and spend proposals or layoffs. The problems should be fixed rather than throwing money at a broken system. Management has lost control of the system at its lowest level. There is no security or law and order on transit vehicles. The public willingly gets on vehicles, and refuses to pay which leads to assaults on drivers. Staff should look at fare evasion to solve the problem.

Ellen Murray, Muni Operator thought that the packet prepared by staff was aimed at the operators and riders and that the downtown corridor and large developers were left out of the proposal. Supervisor McGoldrick said that transit provides a huge benefit to downtown corporations so staff should go after them especially since large corporations were let off the hook with the recently failed tax measures. War profiteers such as Bechtel should be taxed. Level 1 fare increases disproportionately affect minorities.

Sandra Boldridge stated that the 23-line is packed in the Bay View Hunter's Point neighborhood. She was opposed to fare hikes for the disabled and if increased, will pay her fare in pennies.

Barry Taranto didn't think that the basic fare should be raised but staff should charge for transfer. Other fees should be raised as long as it doesn't hurt business elsewhere or the city in the long run. The system needs to be made more efficient and staff should look at extending the paratransit broker fee from cab permits.

Herbert Weiner stated that he was flatly opposed to a declaration of fiscal emergency. The emergency was political and not real. He spoke about the need to go after uncollected property collections from corporations. He was opposed to hiring part time workers or undercutting full-time worker benefits. Some grossly incompetent high-salaried managers should be sacked.

David Pilpel referred to his written comments regarding the fiscal emergency. He called the declaration premature until specific information is provided on the proposed budget solutions. He requested detailed information about the total fund balance for TIDF and Lease/Leaseback monies. Providing less service on lines with fewer people without violating policy headways is a good idea as there is more service on the street than current demand. Now is time to cut service.

The MTA shouldn't pursue a fare increase or other tax increase at this time.

Roger Bazeley stated that transportation in San Francisco is a bargain. He thinks that the Muni fare should be increased to Tier 3 and special passes should be provided for people who can't afford the increase. \$1.75 is not too much for a single trip. Students could handle .50 cents a trip and seniors could handle .75 cents per trip. Fast pass shouldn't increase. Muni needs more schedule efficiencies because of the empty buses that run in the middle of the day. Parking fees and fines should also increase. Implementing Bus Rapid Transit should increase efficiency.

Tom Radulovich, Transportation for a Livable City, stated that San Francisco was on the back end of an economic boom with fewer people working and taking public transit. Transportation for a Livable City recommends increasing taxes, fees and fines on cars before service cuts. They don't think fares should be increased.

David Tornheim, Central City Progressives, expressed concern about the need for more notification for these hearings. Staff should get information about these hearings to bus riders. He is opposed to the fiscal emergency. Money spent on the Third Street light rail project should be spent on service. He suggested that staff skip fare increases and service cuts and go for the increases that will affect cars. The Assessor, Mayor and Board of Supervisors should go after big business. Cutting overtime is also a good idea.

PJ Williams, Muni operator, stated that he appreciated that Mr. Burns came to his division asking for solutions to the budget. He is opposed to raising fares and thinks that the MTA should focus on collecting fares rather than talking about getting more money out of people. If there were a security presence on the buses, this wouldn't be a problem. If staff collected the money that's out there, they wouldn't have half the problem.

Charles Kalish stated that he has always been stunned that people don't pay their fare. About 40% of the riders on the Mission line don't pay. He is shocked that the MTA's aspiration wasn't to provide transit service for free.

Leonard Taylor, Potrero Operator, has been at Muni for 5 years. He doesn't think that Mr. Burns is a problem solver and that operators always get the shaft. The wrong staff was hired and managers bought the wrong equipment. Staff should talk to the drivers who make the system run and have to deal with a lot. Cutting operators will create bad feelings and will only lead to more problems.

Mike Bernardo, Potrero Operator, agreed with comments made by prior operators. Nobody prevents fare evaders coming through the back door. The MTA needs to have more security and needs to collect fares. People who do pay are tired of subsidizing cheapskates.

Ishael Martin, Woods Operator, stated that operators have already given up a lot. Service reductions would affect a lot of riders who heavily use the system. He has reviewed the various proposals and doesn't know that the MTA could do anything more with the users. He doesn't

know if the employees, who have already given up quite a bit, could give more either.

Alice Moscly spoke about back-door entrances. There should be more inspections to eliminate back-door fare evaders and to get people in the habit of paying their fare.

Chairman Vaughns closed public comment.

Director Mezey requested a report on what a 5-10% reduction in managers' salaries would mean.

Director McCray requested staff to meet with the drivers regarding their concerns. He asked staff to identify the routes with the biggest security problems and report back to the Board. The report should include actions being taken to mitigate the problems.

Director Kasolas requested that a report on revenue be presented to the MTA on a quarterly basis.

Chairman Vaughns stated that staff will revisit each item presented and will provide additional analysis on the options at a future meeting.

Exec. Director Burns stated that while Prop E requires the budget to be presented to the Mayor and Board of Supervisors by March 1, anything prepared by that date would be replete with assumptions and guesses. The City's deadline for other department budgets is June 1, which would give the MTA time to work through issues and allow the MTA budget to be consistent with the City's budget. Missing the March 1 deadline may violate the Charter but could easily be justified. Exec. Director Burns will investigate the legal ramifications and will report back to the Board.

Dan Murphy stated that the authors of Prop. E achieved the March 1 deadline by working back from the Mayor and Board of Supervisor's deadlines. They felt that the March 1 date would leave room for discussion and action if the Board of Supervisors voted to reject the MTA's budget, leaving Muni without funding in the interim. Exec. Director Burns stated that there is a provision in Prop. E that guaranteed funding for the Agency if that happened.

Chairman Vaughns stated that extending the deadline would afford staff an opportunity to investigate and analyze suggestions received by the public and the Board.

13. Revising the Schedule of Fees for use of Muni's vehicles and facilities for excursions and film shoots, and for the rental of the Cable Car barn and museum which shall take effect on January 15, 2005. (Explanatory documents include a staff report, resolution and fee schedule.)

This item was continued to the January 4 meeting at the request of staff.

14. Authorizing the Director of Transportation to terminate Contract No. MR-1182R, Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project, with McCarthy

Building Companies, for the City's convenience; negotiate a termination agreement with McCarthy; execute an agreement accepting the assignment of any subcontractor or sub consultant of McCarthy; reject those bids received by McCarthy on the trade subcontracts that the Director deems appropriate; and revise and issue plans and specifications to re-bid the work under the traditional project delivery method. (Explanatory documents include a staff report, and resolution.)

No public comment.

Chairman Vaughns requested that the resolution be amended to protect existing consultants and sub consultants, specifically, Butler Enterprise in association with Railcar Quality Service and R.W. Dotson Management Consulting as the DBE technical assistance program.

RESOLUTION 04-178

On motion to approve as amended:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

15. Authorizing the Director of Transportation and the Director of Property to negotiate and enter into a lease with One South Associates, for office space on the third floor of the building at One South Van Ness Avenue, including a potential exercise of the option to purchase the property. (Explanatory documents include a staff report, resolution and term sheet.)

PUBLIC COMMENT:

David Pilpel expressed support for the lease but thinks that given the fiscal situation, people shouldn't be moved if they are currently located at city-owned property.

RESOLUTION 04-179

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

DEPARTMENT OF PARKING AND TRAFFIC

16. Authorizing the award of Department of Public Works Contract No. 0777J: Potrero Avenue Traffic Signal Upgrade, to St. Francis Electric, as the lowest responsive and responsible bidder, for a total contract amount of \$1,202,896.20 (Explanatory documents include a staff report, resolution and financial plan.)

No public comment.

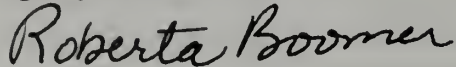
RESOLUTION 04-180

On motion to approve:

ADOPTED: AYES – Black, Din, Kasolas, McCray, Mezey and Vaughns

ADJOURN - The meeting was adjourned at 8:05 p.m.

A tape of the meeting is on file in the office of the Secretary to the Municipal Transportation Agency Board of Directors.

A handwritten signature in black ink that reads "Roberta Boomer". The script is cursive and fluid.

Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415-581-2300; fax: 415-581-2317; 30 Van Ness Ave., Suite 3900, SF, CA 94102-6027 or the web site: sfgov.org/ethics.



**Municipal Transportation Agency
Board of Directors
City and County of San Francisco**



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NOTICE OF CANCELLATION

TUESDAY, DECEMBER 21, 2004
ROOM 400, CITY HALL
1 CARLTON B. GOODLETT PLAZA.

**THE BOARD MEETING SCHEDULED FOR TUESDAY,
DECEMBER 21, 2004 HAS BEEN CANCELLED.**

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